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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



JOHN R. ASHCROFT
SECRETARY OF STATE

MISSOURI REGISTER

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JOHN R. ASHCROFT

Administrative Rules Division

James C. Kirkpatrick State Information Center
600 W. Main
Jefferson City, MO 65101
(573) 751-4015

EDITOR-IN-CHIEF

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•

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•

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•

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August 17, 2020	September 15, 2020	September 30, 2020	October 30, 2020
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February 16, 2021	March 15, 2021	March 31, 2021	April 30, 2021
March 1, 2021	April 1, 2021	April 30, 2021	May 30, 2021
March 15, 2021	April 15, 2021	April 30, 2021	May 30, 2021

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system–

Title		Division	Chapter	Rule
3	CSR	10-	4	.115
Department	<i>Code of State Regulations</i>	Agency Division	General area regulated	Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and
Training Program
Chapter 15—Continuing Education
EMERGENCY AMENDMENT**

11 CSR 75-15.010 Continuing Education Requirement. The director is adding a new section (9) and renumbering as needed.

PURPOSE: This emergency amendment adds de-escalation and implicit bias to the topics for continuing law enforcement education.

EMERGENCY STATEMENT: This emergency amendment specifies that of the twenty-four (24) hours of continuing education required annually for peace officers, one (1) credit hour is to cover the topic of de-escalation and one (1) credit hour is to cover the topic of implicit bias.

An emergency amendment will allow these training standards to go into effect during the 2021 reporting year. Without an emergency amendment, officers will not be required to receive training in these areas until 2022, and they will not have to report compliance until 2023.

This emergency amendment is necessary due to an immediate danger to the public health, safety or welfare: Incidents in which law enforcement officers have failed to properly de-escalate a situation or have exhibited bias have resulted in injury or death to individuals interacting with law enforcement; civil unrest that endangers the

lives, property, and security of the public and law enforcement officers has followed these incidents; and improved training of officers will help to prevent such incidents in the future.

This emergency amendment is also necessary to preserve a compelling government interest by helping to eliminate bias in policing and improve relations between law enforcement and the communities they serve. A recent national survey showed that confidence in police is at its lowest recorded point, with only nineteen percent (19%) of Black adults reporting “a great deal” or “quite a lot” of confidence in the police. According to a database of police shootings, on-duty law enforcement officers shot and killed twenty-eight (28) people in Missouri in 2019. Forty-six percent (46%) of these individuals with a known race who were shot and killed were Black, but only twelve percent (12%) of Missourians are Black.

This emergency amendment follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances, including the following: The Peace Officer Standards and Training (POST) Commission conducted surveys of the public and law enforcement, and held public listening sessions to discuss the results of these surveys. Twenty-five percent (25%) of the public survey respondents expressing concern about law enforcement identified inadequate training as their primary concern, and both the public and law enforcement surveys identified de-escalation as the top area necessitating additional training. After receiving this feedback, the POST Commission unanimously approved this amendment at a public meeting on October 5, 2020.

A proposed amendment, which covers the same material, was published in the November 16, 2020, issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The director believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed October 16, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(9) Every peace officer is to obtain at least one (1) credit hour of CLEE training covering the topic of de-escalation and one (1) credit hour of CLEE training covering the topic of implicit bias.

[(9)](10) At the conclusion of each CLEE period, the director is to determine the compliance of each peace officer pursuant to this rule. Each peace officer is responsible for reporting and demonstrating compliance to the director.

[(10)](11) A peace officer may apply to the director for a modification or waiver of the CLEE requirement for any CLEE period in which the officer takes official state or federal military leave of absence or in which the director determines that the officer was unable to comply with the CLEE training standard due to a documented medical condition. Any determination made by the director pursuant to this rule is subject to review only pursuant to section 536.150, RSMo.

[(11)](12) Any peace officer who fails to comply with this rule is subject to discipline pursuant to section 590.080.1.(6), RSMo.

AUTHORITY: sections 590.030.5.(1), 590.050, and 590.190, RSMo 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 16, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material was published in the November 16, 2020, issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500)

in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and
Training Program
Chapter 15—Continuing Education**

EMERGENCY AMENDMENT

11 CSR 75-15.020 Minimum Standards for Continuing Education Training. The director is amending sections (2) and (4).

PURPOSE: This emergency amendment requires that continuing law enforcement education training relating to de-escalation or implicit bias be designated as such.

EMERGENCY STATEMENT: This emergency amendment requires that training on the topics of de-escalation or implicit bias be designated as such. The director has filed an emergency amendment to 11 CSR 75-15.010 specifying that peace officers must receive training each year in de-escalation and implicit bias. This is a corresponding amendment.

This emergency amendment will allow for training that will satisfy the requirements set forth in the emergency amendment to 11 CSR 75-15.010 to be designated as such during the 2021 reporting year. Without an emergency amendment, the training will not be required to be designated as satisfying these requirements until the 2022 reporting year.

This emergency amendment is necessary due to an immediate danger to the public health, safety or welfare: Improved training of officers will help prevent incidents that result in injury or death to individuals interacting with law enforcement, and civil unrest that follows such incidents.

This emergency amendment is also necessary to preserve a compelling government interest by allowing peace officers to understand which courses will satisfy the new training requirements that have become effective with the amendment to 11 CSR 75-15.010.

This emergency amendment follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances, including the following: The Peace Officer Standards and Training (POST) Commission conducted surveys of the public and law enforcement, and held public listening sessions to discuss the results of these surveys. After receiving this feedback, the POST Commission unanimously approved this amendment at a public meeting on October 5, 2020.

A proposed amendment, which covers the same material, was published in the November 16, 2020, issue of the *Missouri Register*. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The director believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed October 19, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(2) All CLEE training is to be designated according to curricula area. CLEE training relating to **de-escalation, implicit bias**, racial profiling and firearms is to also be designated as such, in addition to being designated by curricula area.

(4) Upon successful completion of the requirements of any CLEE course, the provider of the training is to report to the director the successful completion of the CLEE course by the trainee in a method to

be determined by the director and is to present each trainee a certificate bearing—

- (A) The provider's name;
- (B) The course name;
- (C) The total number of CLEE credit hours earned;
- (D) A breakdown of CLEE credit hours earned by curricula area;
- (E) The number of **de-escalation, implicit bias**, racial profiling or firearms CLEE credit hours earned, if any;
- (F) The trainee's name;
- (G) The name of the individual responsible for general administration of the course; and
- (H) The date and location the course was presented.

AUTHORITY: sections 590.030.5.(1), 590.050, and 590.190, RSMo 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 19, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material was published in the November 16, 2020, issue of the *Missouri Register*.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions**

EMERGENCY AMENDMENT

12 CSR 10-41.010 Annual Adjusted Rate of Interest. The department proposes to amend section (1).

PURPOSE: This emergency amendment establishes the annual adjusted rate of interest to be implemented and applied on taxes remaining unpaid during 2021.

EMERGENCY STATEMENT: The director of revenue is mandated to establish not later than October 22 annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year as set by the Board of Governors of the Federal Reserve rounded to the nearest full percent. This emergency amendment is necessary to ensure public awareness and to preserve a compelling governmental interest requiring an early effective date in that the amendment informs the public of the established rate of interest to be paid on unpaid amounts of taxes for the 2020 calendar year. A proposed amendment, that covers the same material, is published in this issue of the *Missouri Register*. The director has limited the scope of the emergency amendment to the circumstances creating the emergency. The director has followed procedures calculated to assure fairness to all interested persons and parties and has complied with protections extended by the *Missouri* and *United States Constitutions*. Emergency amendment filed October 19, 2020, effective January 1, 2020, expires June 29, 2021.

(1) Pursuant to section 32.065, RSMo, the director of revenue upon official notice of the average predominant prime rate quoted by commercial banks to large businesses, as determined and reported by the Board of Governors of the Federal Reserve System in the Reserve Statistical Release H.15(519) for the month of September of each year has set by administrative order the annual adjusted rate of interest to be paid on unpaid amounts of taxes during the succeeding calendar year as follows:

Calendar Year	Rate of Interest on Unpaid Amounts of Taxes
1995	12%
1996	9%
1997	8%
1998	9%
1999	8%
2000	8%
2001	10%
2002	6%
2003	5%
2004	4%
2005	5%
2006	7%
2007	8%
2008	8%
2009	5%
2010	3%
2011	3%
2012	3%
2013	3%
2014	3%
2015	3%
2016	3%
2017	4%
2018	4%
2019	5%
2020	5%
2021	3%

AUTHORITY: section 32.065, RSMo 2016. Emergency rule filed Oct. 13, 1982, effective Oct. 23, 1982, expired Feb. 19, 1983. Original rule filed Nov. 5, 1982, effective Feb. 11, 1983. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Oct. 19, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**FISCAL NOTE
PUBLIC COST****I. RULE NUMBER**

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Emergency Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
Any taxpayer with delinquent tax.	Any taxpayer with delinquent tax.	<i>This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate. The 2021 interest rate imposed on delinquent taxes is less than that imposed in 2020.</i>

III. WORKSHEET

The proposed amendment establishes the rate of interest for 2021 at three percent (3%), which is less than the rate in 2020.

This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate. Because the 2021 interest rate imposed on delinquent taxes is less than the rate imposed in 2020, the interest rate will be lower on each \$100 of delinquent taxes to public entities.

Interest on Delinquent Taxes Paid to Department of Revenue

	Current Rule 5.00%	Proposed Amendment 3.00%
Example:		
Past due tax amount	\$100.00	\$100.00
Interest Amount (%)	\$5.00	\$3.00
Total Amount Due	\$105.00	\$103.00

IV. ASSUMPTIONS

Pursuant to Section 32.065, RSMo, the Director of Revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year, as set by the Board of Governors of the Federal Reserve, rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2020 is three point two five percent (3.25%). The actual bank prime loan rate noted by the Federal Reserve in 2019 was five point two five percent (5.25%).

**FISCAL NOTE
PRIVATE COST**

I. RULE NUMBER

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Emergency Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
Any taxpayer with delinquent tax.	Any taxpayer with delinquent tax.	<i>This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. The 2021 interest rate imposed on delinquent taxes is less than that imposed in 2020. The actual number of affected taxpayers is unknown.</i>

III. WORKSHEET

The proposed amendment establishes the rate of interest for 2021 at three percent (3%), which is less than the rate in 2020.

This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. Because the 2021 interest rate imposed on delinquent taxes is less than the rate imposed in 2020, the interest rate will be lower on each \$100 of delinquent taxes to private entities. The actual number of affected taxpayers is unknown.

Interest on Delinquent Taxes Paid to Department of Revenue

	Current Rule 5.00%	Proposed Amendment 3.00%
Example:		
Past due tax amount	\$100.00	\$100.00
Interest Amount (%)	\$5.00	\$3.00
Total Amount Due	\$105.00	\$103.00

IV. ASSUMPTIONS

Pursuant to Section 32.065, RSMo, the Director of Revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year, as set by the Board of Governors of the Federal Reserve, rounded to the nearest full percentage. The

actual bank prime loan rate noted by the Federal Reserve in 2020 is three point two five percent (3.25%). The actual bank prime loan rate noted by the Federal Reserve in 2019 was five point two five percent (5.25%).

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

EMERGENCY AMENDMENT

19 CSR 30-1.002 Schedules of Controlled Substances. The department is amending section (1).

PURPOSE: This emergency amendment updates the Schedules of Controlled Substances to be consistent with 21 CFR Part 1308.

EMERGENCY STATEMENT: The United States Department of Justice Drug Enforcement Administration (DEA) continually evaluates substances to determine their clinical application and potential for abuse. Based on their evaluation, the DEA issues scheduling actions to place substances in the appropriate controlled substance schedules. The majority of these scheduling actions consist of temporarily and permanently scheduling newly-discovered illicit substances in Schedule I. Proper scheduling of these substances allow law enforcement to take action to prevent the further distribution of these substances. Scheduling substances in Schedules II-V allows practitioners to be informed about the potential for addiction/abuse of the substances and prescribe the substances appropriately. Section 195.015, RSMo charges the department with similarly controlling substances as they are controlled under federal law. This section also now (as of August 28, 2020) states that the department shall submit emergency rules to the secretary of state within thirty (30) days of a federal scheduling action to allow for similar inclusion, rescheduling, or deletion of controlled substances with this schedule. While this time frame is difficult to achieve given the various approvals and reviews needed prior to the department scheduling any rule with the secretary of state, the department still acts to effectuate these scheduling actions as quickly as possible. This emergency amendment includes all federal scheduling actions since the last amendment of this rule in 2019. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. A proposed amendment, which covers this same material, is published in this issue of the Missouri Register. Subject to section 536.025, this emergency amendment was filed October 30, 2020, becomes effective November 16, 2020, and expires May 14, 2021.

(1) Schedules of Controlled Substances.

(A) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section. Each drug or substance has been assigned the Drug Enforcement Administration (DEA) Controlled Substances Code Number set forth opposite it.

1. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- A. Acetyl-alpha-methylfentanyl
(N-(1-(1-methyl-2-phenethyl)-
4-piperidinyl)-N-phenylacetamide) 9815
- B. Acetylmethadol 9601
- C. Acetyl fentanyl (N-(1-
phenethylpiperidin-4-yl)-
N-phenylacetamide) 9821
- D. N-(1-phenethylpiperidin-4-
yl)-N-phenylacrylamide,
its isomers, esters, ethers,

- salts and salts of isomers,
esters and ethers (Other
names: acryl fentanyl,
acryloylfentanyl) 9811
- E. AH-7921(3,4-dichloro-
N-[(1-dimethylamino)
cyclohexylmethyl]
benzamide) 9551
- F. Allylprodine 9602
- G. Alphacetylmethadol (except
levoracetylmethadol
also known as levo-alpha
acetylmethadol levoracetyl
acetate or LAAM) 9603
- H. Alphameprodine 9604
- I. Alphamethadol 9605
- J. Alpha-methylfentanyl
(N-1-(alphamethyl-beta-phenyl)
ethyl-4-piperidinyl)
propionanilide; 1-(1-methyl-2-
phenylethyl)-4
(N-propanilido) piperidine) 9814
- K. Alpha-methylthiofentanyl
(N-(1-methyl-2-(2-thienyl)
ethyl-4-piperidinyl)-N-
phenylpropanamide) 9832
- L. Benzethidine 9606
- M. Betacetylmethadol 9607
- N. Beta-hydroxyfentanyl
(N-(1-(2-hydroxy-2-
phenethyl)-4-piperidinyl)-
N-phenylpropanamide) 9830
- O. Beta-hydroxy-3-
methylfentanyl (other name:
N-(1-(2-hydroxy-2-phenethyl)-
3-methyl-4-piperidinyl)-N-
phenylpropanamide) 9831
- P. N-[1-[2-hydroxy-2-(thiophen-
2-yl) ethyl]piperidin-4-yl]-
N-phenylpropanamide
(Other names:
beta-hydroxythiofentanyl) 9836
- /P/Q. Betameprodine 9608
- /Q/R. Betamethadol 9609
- /R/S. Betaprodine 9611
- /S/T. Clonitazene 9612
- U. Cyclopropyl fentanyl (N-(1-
phenethylpiperidin-4-yl)-N-
phenylcyclopropanecarboxamide) 9845
- /T/V. Dextromoramide 9613
- /U/W. Diampromide 9615
- /V/X. Diethylthiambutene 9616
- /W/Y. Difenoxy 9168
- /X/Z. Dimenoxadol 9617
- /Y/AA. Dimepheptanol 9618
- /Z/BB. Dimethylthiambutene 9619
- /AA/CC. Dioxaphetyl butyrate 9621
- /BB/DD. Dipipanone 9622
- /CC/EE. Ethylmethylthiambutene 9623
- /DD/FF. Etonitazene 9624
- /EE/GG. Etozeridine 9625
- /FF/HH. N-(4-fluorophenyl)-N-
(1-phenethylpiperidin-4-
yl)isobutyramide, its
isomers, esters, ethers,
salts and salts of isomers,
esters and ethers (Other
names: 4-fluoroisobutyryl

fentanyl, <i>para</i> - fluoroisobutyl fentanyl)	9824
/GG/II. <i>N</i> -(1-phenethylpiperidin- 4-yl)- <i>N</i> -phenylfuran-2- carboxamide (Other names: furan fentanyl)	9834
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/II/KK. Hydroxypethidine	9627
/JJ/LL. Ketobemidone	9628
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/OO/RR. Morpheridine	9632
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/TT/WW. Normethadone	9635
/UU/XX. Norpipanone	9636
/VV/YY. <i>N</i> -(2-fluorophenyl)-2- methoxy- <i>N</i> - (1-phenethylpiperidin-4- yl)acetamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: ocfentanil)	9838
ZZ. <i>ortho</i> -Fluorofentanyl (<i>N</i> -(2- fluorophenyl)- <i>N</i> -(1- phenethylpiperidin-4-yl) propionamide); other name: 2-fluorofentanyl)	9816
AAA. <i>para</i> -Fluorobutyl fentanyl (<i>N</i> - (4-fluorophenyl)- <i>N</i> -(1-phenethylpiperidin- 4-yl)butyramide)	9823
/WW/BBB. Para-fluorofentanyl(<i>N</i> - (4-fluorophenyl)- <i>N</i> - (1-(2-phenethyl)-4- piperidinyl) propanamide	9812
/XX/CCC. PEPAP (1-(2-phenethyl)- 4-phenyl-4- acetoxypiperidine)	9663
/YY/DDD. Phenadoxone	9637
/ZZ/EEE. Phenampromide	9638
/AAA/FFF. Phenomorphan	9647
/BBB/GGG. Phenoperidine	9641
/CCC/HHH. Piritramide	9642
/DDD/III. Proheptazine	9643
/EEE/JJJ. Propерidine	9644
/FFF/KKK. Propiram	9649
/GGG/LLL. Racemoramide	9645

/HHH/MMM. <i>N</i> -(1-phenethylpiperidin- 4-yl)- <i>N</i> - phenyltetrahydrofuran-2- carboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: tetrahydrofuran fentanyl)	9843
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/III/NNN. Thiofentanyl (<i>N</i> -phenyl- <i>N</i> - (1-(2-thienyl)ethyl-4- piperidinyl)-propanamide	9835
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/JJJ/OOO. Tilidine	9750
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/KKK/PPP. Trimeperidine	9646
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2. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Acetorphine	9319
B. Acetyldihydrocodeine	9051
C. Benzylmorphine	9052
D. Codeine methylbromide	9070
E. Codeine- <i>N</i> -Oxide	9053
F. Cyprenorphine	9054
G. Desomorphine	9055
H. Dihydromorphine	9145
I. Drotebanol	9335
J. Etorphine (except hydrochloride salt)	9056
K. Heroin	9200
L. Hydromorphanol	9301
M. Methyl-desomorphine	9302
N. Methyl-dihydromorphine	9304
O. Morphine methylbromide	9305
P. Morphine methylsulfonate	9306
Q. Morphine- <i>N</i> -Oxide	9307
R. Myrophine	9308
S. Nicocodeine	9309
T. Nicomorphine	9312
U. Normorphine	9313
V. Pholcodine	9314
W. Thebacon	9315

3. Opiate Similar Synthetic Substances. Substances scheduled by the United States Drug Enforcement Administration as substances that share a pharmacological profile similar to fentanyl, morphine, and other synthetic opioids, unless specifically excepted or unless listed in another schedule. These substances are:

A. Butyryl fentanyl (<i>N</i> - (1-phenethylpiperidin-4-yl)- <i>N</i> -phenylbutyramide)	9822
B. U-47700 (3,4-Dichloro- <i>N</i> -[2-(dimethylamino) cyclohexyl]- <i>N</i> -methylbenzamide)	9547

4. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation, which contains any quantity of the following hallucinogenic substances or which contains any of its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (For purposes of paragraph (1)(A)4. of this rule only, the term isomer includes the optical, position, and geometric isomers.):

A. Alpha-ethyltryptamine	7249
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Some trade or other names: etryptamine; Monase; alpha-ethyl-1*H*-indole-3-ethenamine; 3-(2-aminobutyl)indole; alpha-ET; and AET;

B. 4-bromo-2,5- dimethoxyamphetamine	7391
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Some trade or other names: 4-bromo-2, 5- dimethoxy-a-methylphenethylamine; 4-bromo- 2, 5-DMA;

C. 4-bromo-2,5-
dimethoxyphenethylamine 7392
D. 2,5-dimethoxyamphetamine 7396

Some trade or other names: 2,5-dimethoxyamethylphenethylamine; 2,5-DMA;

E. 2,5-dimethoxy-4-
ethylamphetamine 7399

Some trade or other names: DOET

F. 2,5-dimethoxy-4-(n)-
propylthiophenethylamine
(other name: 2C-T-7) 7348

G. 2-(2,5-Dimethoxy-4-(n)-
propylphenyl) ethanamine
(2C-P) 7524

H. 2-(2,5-Dimethoxy-4-
ethylphenyl) ethanamine
(2C-E) 7509

I. 2-(2,5-Dimethoxy-4-
methylphenyl) ethanamine
(2C-D) 7508

J. 2-(2,5-Dimethoxy-4-nitrophenyl)
ethanamine (2C-N) 7521

K. 2-(2,5-Dimethoxyphenyl)
ethanamine (2C-H) 7517

L. 2-(4-Chloro-2,5-
dimethoxyphenyl)
ethanamine (2C-C) 7519

M. 2-(4-Ethylthio-2,5-
dimethoxyphenyl)
ethanamine (2C-T-2) 7385

N. 2-(4-Iodo-2,5-
dimethoxyphenyl)
ethanamine (2C-I) 7518

O. 2-(4-Isopropylthio)-2,5-
dimethoxyphenyl)
ethanamine (2C-T-4) 7532

P. 4-methoxyamphetamine 7411

Some trade or other names: 4-methoxyamethylphenethylamine; para-methoxyamphetamine; PMA;

Q. 5-methoxy-3,4-methylenedioxyamphetamine 7401

R. 4-methyl-2,5-
dimethoxyamphetamine 7395

Some trade and other names: 4-methyl-2, 5- dimethoxy-a-methylphenethylamine; DOM;and STP;

S. 3,4- methylenedioxyamphetamine 7400

T. 3,4-methylenedioxy-methamphetamine(
MDMA) 7405

U. 3,4-methylenedioxy-*N*-ethylamphetamine
(also known as *N*-ethylalphamethyl-
3,4 (methylenedioxy) phenethylamine,
N-ethyl MDA,MDE and MDEA) 7404

V. *N*-hydroxy-3,4-
methylenedioxyamphetamine
(also known as *N*-hydroxyalpha-
methyl-3,4 (methylenedioxy)
phenethylamine and *N*-hydroxy
MDA) 7402

W. 3,4,5- trimethoxyamphetamine 7390

X. 5-MeO-DMT or 5-methoxy-
N,N-dimethyltryptamine 7431

Y. Alpha-methyltryptamine 7432

Z. Bufotenine 7433

Some trade and other names: 3-(b-Dimethylaminoethyl)- 5-hydrox-
yindole; 3-(2-dimethylaminoethyl)- 5-indolol; *N*, *N*-dimethylsero-
tonin; 5-hydroxy-*N*, *N*-dimethyltryptamine;mappine;

AA. Diethyltryptamine 7434

Some trade and other names: *N*, *N*-Diethyltryptamine;
DET;

BB. Dimethyltryptamine
Some trade or other names: DMT; 7435

CC. 5-methoxy-*N,N*-
diisopropyltryptamine
(other name: 5-MeODIPT) 7439

DD. Ibogaine 7260

Some trade and other names: 7-Ethyl- 6,6ß,7,8,9,10,12,13-octahy-
dro-2-methoxy-6, 9-methano-5*H*-pyrido [1',2':1,2] azepino[5,4-b]
indole; Tabernanthe iboga;

EE. Lysergic acid diethylamide 7315

FF. Marihuana 7360

Some trade or other names: marijuana;

GG. Mescaline 7381

HH. Parahexyl 7374

Some trade or other names: 3-Hexyl-1- hydroxy-7,8,9,10-tetrahydro-
6,6,9-trimethyl- 6*H*-dibenzo[b,d]pyran; Synhexyl;

II. Peyote 7415

Meaning all parts of the plant presently classified botanically as
Lophophora williamsii Lemaire, whether growing or not; the seeds
thereof; any extract from any part of such plant; and every com-
pound, manufacture, salt, derivative, mixture or preparation of
such plant, its seeds or extracts;

JJ. *N*-ethyl-3-piperidyl
benzilate 7482

KK. *N*-methyl-3-piperidyl
benzilate 7484

LL. Psilocybin 7437

MM. Psilocyn 7438

NN. Tetrahydrocannabinols naturally contained in a plant of
the genus *Cannabis* (cannabis 7370 plant), as well as synthetic equiv-
alents of the substances contained in the cannabis plant or in the
resinous extractives of such plant, and/or synthetic substances, deriv-
atives and their isomers, or both, with similar chemical structure and
pharmacological activity to those substances contained in the plant,
such as the following:

(I) 1 cis or trans tetrahydrocannabinol and their optical iso-
mers;

(II) 6 cis or trans tetrahydrocannabinol and their optical
isomers;

(III) 3,4 cis or trans tetrahydrocannabinol and its optical
isomers; and

(IV) Since nomenclature of these substances is not interna-
tionally standardized, compounds of these structures, regardless
of numerical designation of atomic positions are covered.

OO. Ethylamine analog of phencyclidine 7455

Some trade or other names: *N*-ethyl-1- phenylcyclohexylamine, (1-
phenylcyclohexyl) ethylamine, *N*-(1-phenylcyclohexyl)-ethylamine,
cyclohexamine, PCE;

PP. Pyrrolidine analog of
phencyclidine 7458

Some trade or other names: 1-(1-phenylcyclohexyl)- pyrrolidine
PCPy, PHP;

QQ. Thiophene analog of
phencyclidine 7470

Some trade or other names: 1-(1-(2-thienyl)- cyclohexyl)-piperidine,
2-thienyl analog of phencyclidine, TPCP, TCP;

RR. 1-(1-(2-thienyl)cyclohexyl)
pyrrolidine 7473

Some other names: TCPy.

SS. *Salvia divinorum*

TT. Salvinorin A

UU. 3-Fluoromethcathinone 1233

VV. 4-Fluoromethcathinone 1238

WW. Mephedrone, or 4-
methylmethcathinone 1248

XX. Methylenedioxypropyralerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone	7535	1-yl)-propan-1-one)	7498
YY. Methylone, or 3,4-Methylenedioxymethcathinone	7540	LLL. <i>alphapyrrolidinopentiophenone</i> (Other names: <i>α</i> -PVP; <i>α</i> -pyrrolidinovalerophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one)	7545
ZZ. Quinolin-8-yl 1-pentyl-1 <i>H</i> indole-3-carboxylate (PB-22; QUPIC)	7222	MMM. Butylone (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one)	7541
AAA. Quinolin-8-yl 1-(5-fluoropentyl)-1 <i>H</i> -indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22)	7225	NNN. Pentadone (Other names: <i>α</i> -methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one)	1246
BBB. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1 <i>H</i> indazole-3-carboxamide (AB-FUBINACA)	7012	OOO. Pentylone (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one)	7542
CCC. <i>N</i> -(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1 <i>H</i> -indazole-3-carboxamide (ADB-PINACA)	7035	PPP. Naphyrone (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one)	1258
DDD. (1-pentyl-1 <i>H</i> -indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole)	7144	QQQ. <i>α</i> -pyrrolidinobutyphenone (Other names: <i>α</i> -PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one)	7546
EEE. [1-(5-fluoro-pentyl)-1 <i>H</i> indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole)	7011	RRR. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1 <i>H</i> indazole-3-carboxamide (Other names: AB-CHMINACA)	7031
FFF. <i>N</i> -(1-adamantyl)-1-pentyl-1 <i>H</i> indazole-3-carboxamide (Other names: APINACA, AKB48)	7048	SSS. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1 <i>H</i> indazole-3-carboxamide (Other names: AB-PINACA)	7023
GGG. 2-(4-iodo-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5)	7538	TTT. [1-(5-fluoropentyl)-1 <i>H</i> indazol-3-yl](naphthalen-1-yl)methanone (Other names: THJ-2201)	7024
HHH. 2-(4-chloro-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82)	7537	UUU. <i>N</i> -(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1 <i>H</i> indazole-3-carboxamide (Other names: MAB-CHMINACA; ADB-CHMINACA)	7032
III. 2-(4-bromo-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36)	7536	VVV. methyl 2-(1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB; 5F-MDMB-PINACA)	7034
JJJ. 4-methyl- <i>N</i> -ethylcathinone (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one)	1249	WWW. methyl 2-(1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F-AMB)	7033
KKK. 4-methyl- <i>α</i> -pyrrolidinopropiophenone, (Other names: 4-MePPP; MePPP; 4-methyl- <i>α</i> -pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-		XXX. <i>N</i> -(adamantan-1-yl)-1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamide (Other names: 5F-APINACA, 5F-AKB48)	7049

YYY. *N*-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide
(Other names:
ADB-FUBINACA) **7010**

ZZZ. methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-dimethylbutanoate
(Other names:
MDMB-CHMICA,
MMB-CHMINACA) **7042**

AAAA. methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate
(Other names:
MDMB-FUBINACA) **7020**

BBBB. methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate
(Other names:
FUB-AMB, MMB-FUBINACA, AMB-FUBINACA) **(7021)**

[UU]/CCCC. Synthetic cannabinoids: Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(I) Any compound structurally derived from 3-(1-naphthoyl)indole or 1*H*-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:

- (a) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole **7201**
- (b) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole
- (c) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole
- (d) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole **7118**
- (e) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole **7019**
- (f) JWH-073, or 1-butyl-3-(1-naphthoyl)indole **7173**
- (g) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole **7081**
- (h) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole
- (i) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole **7122**
- (j) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole
- (k) JWH-200, or 1-(2-(4-

(morpholinyl)ethyl)-3-(1-naphthoyl)indole **7200**

(l) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole

(m) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole **7398**

(II) Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(III) Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(IV) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (a) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole
- (b) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole **7203**
- (c) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole **6250**
- (d) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole
- (e) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole **7008**

(V) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

(a) CP 47,497 & homologues, or 2-[(1*R*,3*S*)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, where side chain *n*=5, and homologues where side chain *n*=4,6, or 7; **7297, 7298**

(VI) Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(*N*-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (a) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole **7694**
- (b) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (SR-19 and RCS-4) **7104**

(VII) CP 50,556-1, or [(6*S*,6*aR*,9*R*,10*aR*)-9-hydroxy-6-methyl-3-[(2*R*)-5-phenylpentan-2-yl]oxy-5,6,6*a*,7,8,9,10,10*a*-octahydrophenanthridin-1-yl] acetate

(VIII) HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyl octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (IX) HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol

(X) Dimethylheptylpyran, or DMHP

5. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Gamma-hydroxybutyric acid and other names GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutonic acid; sodium oxybate; sodium oxybutyrate; 2010

B. Mecloqualone 2572

C. Methaqualone 2565

6. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Aminorex 1585

Some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine;

B. *N*-benzylpiperazine (some other names: BZP, 1-benzylpiperzaine) 7493

C. Cathinone (Some trade or other names: 2-amino-1-phenyl-1-propanone, alphaaminopropiophenone, 2-aminopropiophenone and norephedrone) 1235

D. Fenethylamine 1503

[E. 3-Fluoromethcathinone 1233

F. 4-Fluoromethcathinone 1238

G. Mephedrone, or 4-methylmethcathinone 1248]

[H/E. Methcathinone 1237

Some trade or other names: 2-(methylamino)- propiophenone; alpha-(methylamino) propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-*N*-methylaminopropiophenone; monomethylpropion; ephedrone; *N*-methylcathinone; methylcathinine; AL-464; AL-422; AL-463 and URI 432;

[I/F. 4-methoxymethcathinone

[J/G. cis-4-methylaminorex (cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) 1590

[K. Methylenedioxypyrovalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone 7535

L. Methylone, or 3,4-Methylenedioxymethcathinone 7540]

[M/H. 4-Methyl-alpha-pyrrolidinobutophenone, or MPBP

[N/I. N-ethylamphetamine 1475

[O/J. N,N-dimethylamphetamine 1480

(some other names: *N,N*-alpha-trimethylbenzeneethanamine; *N,N*-alphatrimethylphenethylamine)

[P. Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC) 7222

Q. Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-

carboxylate (5-fluoro-PB-22; 5F-PB-22) 7225

R. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1Hindazole-3-carboxamide (AB-FUBINACA) 7012

S. N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA) 7035]

7. A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture or preparation which contains any quantity of the following substances:

[A. (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole) 7144

B. [1-(5-fluoro-pentyl)-1Hindol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole) 7011

C. N-(1-adamantyl)-1-pentyl-1Hindazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomer (Other names: APINACA, AKB48) 7048

D. 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimb-5) 7538

E. 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimb-82) 7537

F. 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimb-36) 7536

G. 4-methyl-N-ethylcathinone, its optical, positional, and geometric isomers, salts, and

salts of isomers (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one)	1249	AB-PINACA)	7023
H. 4-methyl-alpha-pyrrolidinopropiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-MePPP; MePPP; 4-methyl-alpha-pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one)	7498	Q. [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: THJ-2201)	7024
I. alphapyrrolidinopentiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: alpha-PVP; alpha-pyrrolidinovalerophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one)	7545	R. N-[1-[2-hydroxy-2-(thiophen-2-yl) ethyl]piperidin-4-yl]-N-phenylpropionamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: beta-hydroxythiofentanyl)	9836]
J. Butylone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one)	7541	[S]A. N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: acetyl fentanyl)	9821
K. Pentadrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: alpha-methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one)	1246	[T. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MAB-CHMINACA; ADB-CHMINACA)	7032
L. Pentylone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one)	7542	U. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-ADB; 5F-MDMB-PINACA)	(7034)
M. Naphyrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one)	1258	V. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-AMB)	(7033)
N. alpha-pyrrolidinobutiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: alpha-PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one)	7546	W. N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-APINACA, 5F-AKB48)	(7049)
O. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: AB-CHMINACA)	7031	X. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: ADB-FUBINACA)	(7010)
P. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names:		Y. methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric	

- isomers, salts and salts of isomers (Other names: MDMB-CHMICA, MMB-CHMINACA)* (7042)
- Z.** *methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: MDMB-FUBINACA)* (7020)
- AA.** *N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: orthofluorofentanyl, 2-fluorofentanyl)* (9816)
- BB.** *2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: methoxyacetyl fentanyl)* (9825)
- CC.** *methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: FUB-AMB, MMB-FUBINACA, AMB-FUBINACA)* (7021)
- DD.** *N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: cyclopropyl fentanyl)* (9845)]
- [EE]B.** *N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: valeryl fentanyl)* [(9804)]9840
- [FF.** *N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: para-fluorobutyryl fentanyl)* (9823)]
- [GG]C.** *N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: para-methoxybutyryl fentanyl)* (9837)
- [HH]D.** *N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: para-chloroisobutyryl fentanyl)* (9826)
- [[I]E.** *N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: isobutyryl fentanyl)* (9827)
- [JJ]F.** *N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: cyclopentyl fentanyl)* (9847)
- [KK]G.** *Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers, esters and ethers.* 9850
- (I) Fentanyl-related substance means any substance not otherwise listed under another Administration Controlled Substance Code Number, and for which no exemption or approval is in effect under section 505 of the Federal Food, Drug, and Cosmetic Act 21 U.S.C. 355, that is structurally related to fentanyl by one (1) or more of the following modifications:
- (a) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;
- (b) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;
- (c) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;
- (d) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or
- (e) Replacement of the *N*-propionyl group by another acyl group.
- [LL]H.** *Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: NM2201; CBL2201)* (7221)
- [MM]I.** *N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-AB-PINACA)* (7025)
- [NN]J.** *1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 4-CN-CUMYLBUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CNBINACA; SGT-78)* (7089)
- [OO]K.** *methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoate, its*

	optical, positional, and geometric isomers, salts and salts of isomers (Other names: MMB-CHMICA, AMB-CHMICA)	(7044)	pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one	7446
[PP/L]	1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-pyrrolo[2,3-b]pyridine-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-CUMYL-P7AICA)	(7085)	W. <i>alpha</i> -Pyrrolidinoheptaphenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one)	7548
[QQ/M]	N-Ethylpentylone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: ephylone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one)	(7543)	X. 4'-Chloro- <i>alpha</i> -pyrrolidinovalerophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 4-chloro- <i>alpha</i> -PVP; 4'-chloro- <i>alpha</i> -pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one)	7443
N.	ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (trivial name: 5F-EDMB-PINACA)	7036	Y. N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: isotonitazene; N,N-diethyl-2-[[4-(1-methylethoxy)phenyl]methyl]-5-nitro-1H-benzimidazole-1-ethanamine)	9614
O.	methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (trivial name: 5F-MDMB-PICA)	7041	8. Khat, to include all parts of the plant presently classified botanically as <i>catha edulis</i> , whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.	7032
P.	N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (trivial names: FUB-AKB48; FUB-APINACA; AKB48 N-(4-FLUOROBENZYL))	7047	(B) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.	
Q.	1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (trivial names: 5F-CUMYL-PINACA; SGT-25)	7083	1. Substances, vegetable origin, or chemical synthesis. Unless specifically excepted or unless listed in another schedule, Schedule II shall include any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:	
R.	(1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts and salts of isomers (trivial name: FUB-144)	7014	A. Opium and opiate; and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine, nalmefene, naloxegol, naloxone, and naltrexone and their respective salts, but including the following:	
S.	N-Ethylhexedrone, its optical, positional, and geometric isomers, salts and salts of isomers (Other name: 2-(ethylamino)-1-phenylhexan-1-one)	7246	(I) Raw opium	9600
T.	<i>alpha</i> -Pyrrolidinohexanophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: -PHP; <i>alpha</i> -pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one)	7544	(II) Opium extracts	9610
U.	4-Methyl- <i>alpha</i> -ethylaminopentiophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one)	7245	(III) Opium fluid	9620
V.	4'-Methyl- <i>alpha</i> -pyrrolidinohexiophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: MPHP; 4'-methyl- <i>alpha</i> -		(IV) Powdered opium	9639
			(V) Granulated opium	9640
			(VI) Tincture of opium	9630
			(VII) Codeine	9050
			(VIII) Dihydroetorphine	9334
			(IX) Ethylmorphine	9190
			(X) Etorphine hydrochloride	9059
			(XI) Hydrocodone	9193
			(XII) Hydromorphone	9150
			(XIII) Metopon	9260
			(XIV) Morphine	9300
			(XV) Oripavine	9330
			(XVI) Oxycodone	9143
			(XVII) Oxymorphone	9652
			(XVIII) Thebaine	9333
			B. Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subparagraph (1)(B)1.A. of this rule shall be included in Schedule II, except that these substances shall not include the isoquinoline alkaloids of opium;	

C. Opium poppy and poppy straw	9650
D. Coca leaves (9040) and any salt, compound, derivative, or preparation of coca leaves (including cocaine (9041) and ecgonine (9180) and their salts, isomers, derivatives, and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include:	
(I) Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; or	
(II) Ioflupane;	
E. Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy)	9670
2. Opiates. Unless specifically excepted or unless in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrophan, and levo-propoxyphene excepted:	
A. Alfentanil	9737
B. Alphaprodine	9010
C. Anileridine	9020
D. Bezitramide	9800
E. Bulk Dextropropoxyphene (Non-dosage Forms)	9273
F. Carfentanil	9743
G. Dihydrocodeine	9120
H. Diphenoxylate	9170
I. Fentanyl	9801
J. Isomethadone	9226
K. Levo-alphaacetylmehtadol	[9220]
Some other names: levo-alphaacetylmehtadol, levomethadyl acetate, LAAM	9648
L. Levomethorphan	9210
M. Levorphanol	9220
N. Metazocine	9240
O. Methadone	9250
P. Methadone-Intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane	9254
Q. Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid	9802
R. Pethidine (Meperidine)	9230
S. Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine	9232
T. Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate	9233
U. Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid	9234
V. Phenazocine	9715
W. Piminodine	9730
X. Racemethorphan	9732
Y. Racemorphan	9733
Z. Remifentanil	9739
AA. Sufentanil	9740
BB. Tapentadol	9780
CC. Thiafentanil	9729

3. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

A. Amphetamine, its salts,

optical isomers, and salts of its optical isomers	1100
B. Lisdexamfetamine, its salts, isomers, and salts of its isomers	1205
C. Methamphetamine, its salts, isomers, and salts of its isomers	1105
D. Phenmetrazine and its salts	1631
E. Methylphenidate	1724

4. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Amobarbital	2125
B. Glutethimide	2550
C. Pentobarbital	2270
D. Phencyclidine	7471
E. Secobarbital	2315

5. Hallucinogenic substances:

A. Nabilone	7379
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Another name for nabilone: (\pm)trans-3-(1, 1-dimethylheptyl)-6, 6a,7,8,10,10a-hexahydro- 1-hydroxy-6, 6-dimethyl-9H-dibenzo(b,d) pyran-9-one.

B. Dronabinol [(\pm)-delta-9-trans tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the United States Food and Drug Administration. (7365)

6. Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

A. Immediate precursor to amphetamine and methamphetamine:

(I) Phenylacetone	8501
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Some trade or other names: phenyl-2- propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;

B. Immediate precursors to phencyclidine (PCP):

(I) 1-phenylcyclohexylamine	7460
(II) 1-piperidinocyclohexane carbonitrile (PCC)	8603

C. Immediate precursor to fentanyl:

(I) 4-anilino-N-phenethyl-4-piperidine (ANPP)	8333
(II) N-phenyl-N-(piperidin-4-yl)propionamide (norfentanyl)	8366

7. Any material, compound, mixture, or preparation which contains any quantity of the following alkyl nitrites:

A. Amyl nitrite;	
B. Butyl nitrite.	

(C) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

1. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August

25, 1971, as excepted compounds under section 308.32 and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances

B. Benzphetamine	1228
C. Chlorphentermine	1645
D. Clortermine	1647
E. Phendimetrazine	1615

2. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

A. Any compound, mixture, or preparation containing:	
(I) Amobarbital	2126
(II) Secobarbital	2316
(III) Pentobarbital	2271

or any salt thereof and one (1) or more other active medicinal ingredients which are not listed in any schedule;

B. Any suppository dosage form containing:	
(I) Amobarbital	2126
(II) Secobarbital	2316
(III) Pentobarbital	2271

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

C. Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof

D. Chlorhexadol	2510
E. Embutramide	2020

F. Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomer, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act;

G. Ketamine, its salts, isomer, and salts of isomers (some other names for ketamine: (±)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone)	7285
H. Lysergic acid	7300
I. Lysergic acid amide	7310
J. Methyprylon	2575

K. Perampanel, and its salts, isomers, and salts of isomers	2261
L. Sulfondiethylmethane	2600
M. Sulfonethylmethane	2605
N. Sulfonmethane	2610

O. Tiletamine and zolazepam or any salt thereof	7295
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Some trade or other names for a tiletaminezolazepam combination product: Telazol. Some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-(3,4-e)(1,4)-diazepin-7(1H)-one, flupyrzapon.

3. Nalorphine 9400

4. Narcotics drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than 1.8 grams of codeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium 9803

B. Not more than 1.8 grams of codeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9804

C. Not more than 1.8 grams of dihydrocodeine per one hun-

dred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9807

D. Not more than three hundred milligrams (300 mg) of ethylmorphine per one hundred milliliters (100 mL) or not more than fifteen milligrams (15 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9808

E. Not more than five hundred milligrams (500 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 g) or not more than twenty-five milligrams (25 mg) per dosage unit, with one (1) or more active nonnarcotic ingredients in recognized therapeutic amounts 9809

F. Not more than fifty milligrams (50 mg) of morphine per one hundred milliliters (100 mL) or per one hundred grams (100 g), with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9810

5. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts, as set forth below:

A. Buprenorphine 9064

6. Anabolic steroids. Unless specially excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation. DEA has assigned code 4000 for all anabolic steroids. Anabolic steroids. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration. If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this subdivision. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, esters, and ethers:

A. 3β,17β-dihydroxy-5α-androstane
B. 3α,17β-dihydroxy-5α-androstane
C. 5α-androstan-3,17-dione
D. 1-androstenediol (3β,17β-dihydroxy- 5α-androst-1-ene)
E. 1-androstenediol (3α,17β-dihydroxy- 5α-androst-1-ene)
F. 4-androstenediol (3β,17β-dihydroxy- androst-4-ene)
G. 5-androstenediol (3β,17β-dihydroxy- androst-5-ene)
H. 1-androstenedione ([5α]-androst- 1-en-3,17-dione)
I. 4-androstenedione (androst-4-en- 3,17-dione)
J. 5-androstenedione (androst-5-en- 3,17-dione)
K. Bolasterone (7α,17α-dimethyl- 17β-hydroxyandrost-4-en-3-one)

L. Boldenone (17β-hydroxyandrost- 1,4,-diene-3-one)
M. Boldione (androstra-1,4-diene- 3,17-dione)
N. Calusterone (7β,17α-dimethyl-17 β-hydroxyandrost-4-en-3-one)

O. Clostebol (4-chloro-17β-hydroxyandrost- 4-en-3-one)

P. Dehydrochloromethyltestosterone (4-chloro-17β-hydroxy-17α-methyl-androst- 1,4-dien-3-one)

Q. Desoxymethyltestosterone (17α-methyl-5α-androst-2-en-17β-ol) (a.k.a. madol)

[R. Dihydrotestosterone (4-Dihydrotestosterone) (s) 4-dihydrotestosterone (17β-hydroxy-androstan-3-one)]

R. Δ1-dihydrotestosterone (a.k.a.'1-testosterone') (17β-hydroxy-5α-androst-1-en-3-one)

S. 4-dihydrotestosterone (17β-hydroxy-androstan-3-one)

[S/T. Drostanolone(17β-hydroxy-2α-methyl-5α-androstan-3-one)

[T/U]. Ethylestrenol(17 α -ethyl-17 β -hydroxyestr-4-ene)
 [U/V]. Fluoxymesterone(9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one)
 [V/W]. Formebolone (Formebolone) (2- formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost- 1,4-dien-3-one)
 [W/X]. Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan)
 [X/Y]. 13 β -ethyl-17 β -hydroxygon-4-en-3-one
 [Y/Z]. 4-hydroxytestosterone (4,17 β -dihydroxy- androst-4-en-3-one)
 [Z/AA]. 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one)
 [AA/BB]. Mestanolone (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one)
 [BB/CC]. Mesterolone(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)
 [CC/DD]. Methandienone(17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one)
 [DD/EE]. Methandriol (17 α -methyl- 3 β ,17 β -dihydroxyandrost-5-ene)
 [EE/FF]. Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-one)
 [FF/GG]. Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one)
 [GG/HH]. 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane
 [HH/II]. 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane
 [II/JJ]. 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene
 [JJ/KK]. 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4- en-3-one)
 [KK/LL]. Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one)
 [LL/MM]. Methyltrienolone (17 α -methyl- 17 β -hydroxyestra-4,9,11-trien-3-one)
 [MM/NN]. Methyltestosterone (17 α -methyl-17 -hydroxyandrost-4-en-3-one)
 [NN/OO]. Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one)
 [OO/PP]. 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. 17- α -methyl-1-testosterone)
 [PP/QQ]. Nandrolone (17 β -hydroxyestr-4-ene-3-one)
 [QQ/RR]. 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene)
 [RR/SS]. 19-nor-4-andro stenediol (3 α ,17 β -dihydroxyestr-4-ene)
 [SS/TT]. 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione)
 [TT/UU]. 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene)
 [UU/VV]. 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene)
 [VV/WW]. 19-nor-4-androstenedione (estr-4-en-3,17-dione)
 [WW/XX]. 19-nor-5-androstenedione (estr-5-en-3,17-dione)
 [XX/YY]. Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one)
 [YY/ZZ]. Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one)
 [ZZ/AAA]. Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one)
 [AAA/BBB]. Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one)
 [BBB/CCC]. Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one)
 [CCC/DDD]. Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one)
 [DDD/EEE]. Oxymetholone (17 α -methyl-2-hydroxymethyl-ene-17 β -hydroxy-[5 α]-androstan-3-one)
 [EEE/FFF]. Prostanazol (17 β -hydroxy-5 α -androstano[3,2-

c]pyrazole)
 [FFF/GGG]. Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)(17 β -hydroxy-5 α -androst-1-en-3-one))
 [GGG/HHH]. Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole)
 [HHH/III]. Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one)
 [III/JJJ]. Testolactone(13-hydroxy-3-oxo-13,17-secoandrost-1,4-dien-17-oic acid lactone)
 [JJJ/KKK]. Testosterone(17 β -hydroxyandrost-4-en-3-one);
 [KKK/LLL]. Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9, 11-trien-3-one)
 [LLL/MMM]. Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one)
 [MMM/NNN]. Any salt, ester, or isomer of a drug or substance described or listed in this subparagraph, if that salt, ester, or isomer promotes muscle growth except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of Health and Human Services for that administration.
 7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product 7369
 (Some other names for dronabinol: (6aRtrans)- 6a,7,8,10a-tetrahydro-6.6.9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol, or (-) -delta-9-(trans)-tetrahydrocannabinol.)
 (D) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.
 1. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:
 A. Not more than one milligram (1 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit 9167
 B. Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) 9278
 C. 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, opticaland geometric isomers, and salts of these isomers (including tramadol) 9752
 D. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:
 (I) Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 g);
 (II) Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 g); or
 (III) Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 g).
 2. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:
 A. Alfaxalone 2731
 B. Alprazolam 2882
 C. Barbitol 2145

D. Brexanolone	2400
/D/E. Bromazepam	2748
/E/F. Camazepam	2749
/F/G. Carisoprodol	8192
/G/H. Chloral betaine	2460
/H/I. Chloral hydrate	2465
/I/J. Chlordiazepoxide	2744
/J/K. Clobazam	2751
/K/L. Clonazepam	2737
/L/M. Clorazepate	2768
/M/N. Clotiazepam	2752
/N/O. Cloxazolam	2753
/O/P. Delorazepam	2754
/P/Q. Diazepam	2765
/Q/R. Dichloralphenazone	2467
/R/S. Estazolam	2756
/S/T. Ethchlorvynol	2540
/T/U. Ethinamate	2545
/U/V. Ethyl loflazepam	2758
/V/W. Fludiazepam	2759
/W/X. Flunitrazepam	2763
/X/Y. Flurazepam	2767
/Y/Z. Fospropofol	2138
/Z/AA. Halazepam	2762
/AA/BB. Haloxazolam	2771
/BB/CC. Ketazolam	2772
DD. Lemborexant	2245
/CC/EE. Loprazolam	2773
/DD/FF. Lorazepam	2885
/EE/GG. Lormetazepam	2774
/FF/HH. Mebutamate	2800
/GG/II. Medazepam	2836
/HH/JJ. Meprobamate	2820
/JJ/KK. Methohexital	2264
/JJ/LL. Methylphenobarbital (Mephobarbital)	2250
/KK/MM. Midazolam	2884
/LL/NN. Nimetazepam	2837
/MM/OO. Nitrazepam	2834
/NN/PP. Nordiazepam	2838
/OO/QQ. Oxazepam	2835
/PP/RR. Oxazolam	2839
/QQ/SS. Paraldehyde	2585
/RR/TT. Petrichloral	2591
/SS/UU. Phenobarbital	2285
/TT/VV. Pinazepam	2883
/UU/WW. Prazepam	2764
/VV/XX. Quazepam	2881
/WW/YY. Suvorexant	2223
/XX/ZZ. Temazepam	2925
/YY/AAA. Tetrazepam	2886
/ZZ/BBB. Triazolam	2887
/AAA/CCC. Zaleplon	2781
/BBB/DDD. Zolpidem	2783
/CCC/EEE. Zopiclone	2784

3. Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Fenfluramine 1670

4. Lorcaserin. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Lorcaserin 1625

5. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation

which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Cathine ((+)- norpseudoephedrine)	1230
B. Diethylpropion	1610
C. Fencamfamin	1760
D. Fenproporex	1575
E. Mazindol	1605
F. Mefenorex	1580
G. Modafinil	1680
H. Pemoline (including organometallic complexes and chelates thereof)	1530
I. Phentermine	1640
J. Pipradrol	1750
K. Sibutramine	1675

L. Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester)) 1650

/L/M. SPA (-)-1-dimethylamino-1,2-diphenylethane 1635

6. Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:

A. Pentazocine	9709
B. Butorphanol (including its optical isomers)	9720
C. Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl] [(1S)-1-(4-phenyl-1 H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers	9725

7. Ephedrine. Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers, and salts of isomers:

A. Ephedrine or its salts, optical isomers, or salts of optical isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers, or salts of optical isomers and therapeutically insignificant quantities of another active medicinal ingredient.

(E) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this subsection.

1. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as follows, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

A. Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 g);

B. Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 g);

C. Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 g);

D. Not more than two and five-tenths milligrams (2.5 mg) of diphenoxylate and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit;

E. Not more than one hundred milligrams (100 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 g); and

F. Not more than five-tenths milligram (0.5 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit.

2. Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including its salts, isomers, and salts of isomers:

A. Pyrovalerone 1485

3. Any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound, mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical isomers, or salts of optical isomers if the drug preparations are starch-based solid dose forms, if such preparations are sold over the counter without a prescription. The following drug preparations containing ephedrine and pseudoephedrine are not scheduled controlled substances:

A. Drug preparations in liquid form;

B. Drug preparations that require a prescription in order to be dispensed.

4. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

A. Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamate ethyl ester] 2779

B. Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] 2746

C. Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] 2782

D. Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (also referred to as BRV; UCB-34714; Briviact) 2710

E. Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl)-benzamide] 2790

F. Cenobamate ([1R]-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl carbamate; 2H-tetrazole-2-ethanol, alpha-(2-chlorophenyl)-, carbamate (ester), (alphaR)-; carbamic acid (R)-(+)-1-(2-chlorophenyl)-2-(2H-tetrazol-2-yl)ethyl ester) 2720

[5. Approved cannabidiol drugs.

A. A drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzene-diol) derived from cannabis and no more than one tenth percent (0.1%) (w/w) residual tetrahydro cannabinoids 7367]

AUTHORITY: sections 195.015 and 195.195, RSMo Supp. [2017] 2020. Material found in this rule previously filed as 19 CSR 30-1.010. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 30, 2020, effective Nov. 16, 2020,

expires May 14, 2021. A proposed amendment covering this same material is published in this issue of the *Missouri Register*

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the emergency is effective.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 30—Division of Regulation and Licensure Chapter 1—Controlled Substances

EMERGENCY AMENDMENT

19 CSR 30-1.074 Dispensing Without a Prescription. The department is amending subsections (3)(B), (3)(C), and (3)(L).

PURPOSE: This emergency amendment updates the requirements for the sale, dispensation, or distribution of methamphetamine precursor products to be consistent with section 195.417, RSMo.

EMERGENCY STATEMENT: Section 195.417, RSMo was amended through SS SCS HCS HB 1682 (2020). This statutory amendment reduced that amount of methamphetamine precursor products that pharmacy may dispense within a thirty- (30-) day period from nine (9) grams to seven and two-tenths (7.2) grams. It also placed limit on the amount of methamphetamine precursor products a pharmacy may dispense to an individual or that an individual may otherwise receive within a twelve- (12-) month period to forty-three and two-tenths (43.2) grams. This emergency amendment will ensure that Missouri's controlled substance regulations contain these same limits rather than purchase limits that exceed those now allowed by statute. Limiting the amount of methamphetamine precursor products that may be dispensed to an individual (with or without a prescription) in a given period of time helps ensure that those individuals are purchasing for lawful reasons and not with the intent of using the products to manufacture methamphetamine. There are currently one thousand three hundred sixty-nine (1,369) pharmacies registered with the Department of Health and Senior Services Bureau of Narcotics and Dangerous Drugs. Not all of these pharmacies dispense methamphetamine precursor products, but for those that do it is important that the regulations they agree to follow as registrants are consistent with state law, not only to prevent confusion, but to ensure the Bureau can discipline a registrant for violating state law if needed. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. A proposed amendment, which covers this same material, is published in this issue of the *Missouri Register*. This emergency amendment was filed October 30, 2020, becomes effective November 16, 2020, and expires May 14, 2021.

(3) Methamphetamine precursor products may be sold, dispensed, distributed, or otherwise provided only as follows:

(B) Dispensers of methamphetamine precursor products shall exercise reasonable care in assuring that the purchaser has not exceeded the three and six-tenths (3.6)-gram limit per day or the [nine (9)] seven and two-tenths (7.2)-gram limit per thirty (30)-day period. Within any twelve-month period, no person shall sell, dispense, or otherwise provide the same individual, and no person

shall purchase, receive or otherwise acquire more than forty-three and two-tenths (43.2)-grams, without regard to the number of transactions;

(C) Dispensers shall utilize the real-time electronic pseudoephedrine tracking system established and maintained by the Missouri Department of Health and Senior Services (DHSS). No prescription shall be required for the sale or dispensing of these drug products; however, prescribers and patients may voluntarily choose to use a prescription by voluntary choice when deemed appropriate by the prescriber in the course of his or her professional practice;

(L) Denials of Sales and Dispensings.

1. Except as provided in subsection (D) of this section, if an individual attempts to purchase a methamphetamine precursor product in violation of the three and six-tenths (3.6) gram per day or [nine (9)] seven and two-tenths (7.2) gram per month quantity restrictions or age restriction established by sections 195.017 and 195.417, RSMo, the dispenser shall refuse to make the sale. The purchaser must be at least eighteen (18) years of age.

2. Sales of methamphetamine precursor products shall be denied to purchasers who are not able to produce a valid government issued identification card with the required information displayed on it.

3. In the event that the dispenser perceives that refusal of the purchase may place him or her in imminent physical harm, then the dispenser may use the database safety override function to proceed with the transaction, provided that—

A. When jeopardy is no longer perceived, the dispenser shall immediately contact local law enforcement to report the purchase; and

B. The dispenser shall document in their manual log, the circumstance, the individual contacted at the local law enforcement agency, and the date and time of that contact;

AUTHORITY: sections 195.017 and 195.417, RSMo Supp. [2010] 2020, and sections 195.030, 195.050, and 195.195, RSMo [2000] 2016. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 30, 2020, effective Nov. 16, 2020, expires May 14, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2220—State Board of Pharmacy Chapter 5—Drug Distributor

EMERGENCY AMENDMENT

20 CSR 2220-5.020 Drug Distributor Licensing Requirements.
The Board of Pharmacy is amending subsection (1)(B).

PURPOSE: This emergency amendment would waive Missouri drug distributor licensure requirements for entities shipping drugs or vaccines to treat or immunize patients during a state or federally declared disaster or emergency, or pursuant to an emergency use authorization issued by the United States Food and Drug Administration for a public health emergency.

EMERGENCY STATEMENT: On January 31, 2020, the U.S.

Department of Health and Human Services (HHS) declared a public health emergency in response to the nationwide COVID-19 pandemic. The Governor of Missouri declared a similar State of Emergency on March 13, 2020, finding that COVID-19 poses a serious health risk for Missouri residents and visitors. HHS is currently collaborating with U.S. drug manufacturers to develop a COVID-19 vaccine/treatment, with anticipated availability as early as November 2020. In response, the Missouri Department of Health and Senior Services (DHSS) has developed a statewide vaccine and drug distribution plan to coordinate shipment of federally authorized drug supplies into Missouri. The statewide distribution/shipment plan includes procedures for intrastate shipments of emergency medication between state/federally authorized first responders/healthcare entities (e.g., hospitals, local public health agencies, physician clinics, mobile/temporary vaccination sites). Under the current rule, a Missouri drug distributor license is required for entities shipping medication pursuant to the emergency plan and declaration. HHS and the United States Centers for Disease Control and Prevention (CDC) have asked all states to remove licensing related barriers that would impede nationwide coordination of medication shipments during the federal emergency. DHSS has made a similar request to the board. Significantly, state/federal authorities have advised drug shipments may need to be coordinated between entities with little or no advance notification. Board processing of a Missouri drug distributor application could delay drug shipments by 4-6 weeks due to current application requirements (e.g., notarization, state inspection, and non-resident independent license verification from other states). In line with the HHS, CDC and DHSS requests, the proposed emergency amendment would exempt entities distributing medication and drug supplies to treat Missouri patients during a state/federal emergency from Missouri's drug distributor licensure requirements. The board has determined this emergency amendment is needed to ensure the availability and prompt distribution of medication to treat/prevent COVID-19 and other medical needs/illnesses during a federal or state emergency. Absent an emergency amendment, Missouri citizens will experience a significant delay in receiving COVID-19 vaccines/medication and related emergency supplies, which will detrimentally impact the public safety, health, and welfare of Missouri citizens. As a result, the Missouri State Board of Pharmacy finds there is an immediate danger to the public health, safety, and/or welfare and a compelling governmental interest that requires this emergency action. The scope of this emergency rule amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Missouri State Board of Pharmacy believes this emergency rule is fair to all interested persons and parties under the circumstances. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. This emergency amendment was filed October 29, 2020, becomes effective November 13, 2020, and expires May 11, 2021.

(1) A “wholesale drug distributor” is defined in section 338.330(3), RSMo. No wholesale drug distributor with physical facilities located in the state of Missouri shall knowingly purchase or receive legend drugs and/or drug related devices from a wholesale drug distributor or pharmacy not licensed or registered by the board. Knowledge of the licensure status of a drug distributor or pharmacy includes, but is not limited to, actual or constructive knowledge. Knowledge of the license status of a drug distributor or pharmacy shall also include, but not be limited to, notification from the board by mail or electronic transmission.

(B) Licensure and/or registration as a wholesale drug distributor is not required for activities described below—

1. The sale, purchase, transfer, or trade of a drug or an offer to sell, purchase, transfer, or trade a drug for emergency administration to an individual patient if a delay in therapy would negatively affect a patient outcome. The amount sold, purchased, transferred, or traded shall not exceed five percent (5%) of the pharmacy's total gross

prescription sales or, if prescriptions are not sold, five percent (5%) of the pharmacy's total drug purchases;

2. The sale, purchase, or trade of blood and blood components intended for transfusion and any other exemptions as provided for in Chapter 338, RSMo;

3. The sale, purchase, transfer, or trade of a drug or an offer to sell, purchase, or trade a drug by a Missouri licensed pharmacy that does not exceed five percent (5%) of the pharmacy's total gross sales. For purposes of this section, total gross sales shall be calculated based on the pharmacy's total annual prescription drug sales or, if prescriptions are not sold, five percent (5%) of the pharmacy's total drug purchases;

4. The sale, purchase, transfer, or trade of a drug or offer to sell, purchase, transfer, or trade a drug among hospitals or by a hospital to a healthcare entity under the same common control or ownership as the hospital. "Common control or ownership" means the power to direct or cause the direction of the management and policies of a person or an organization whether by ownership, stock, voting rights, contract, or otherwise. For purposes of this rule, a "hospital" shall be limited to a hospital as defined by Chapter 197, RSMo, or a hospital operated by the state;

5. The storage or distribution of drugs by a local, state, or federal facility that are received from the Strategic National Stockpile or the state stockpile for the purpose of providing those drugs in an emergency situation as authorized by a state or federal agency;

6. The sale, purchase, or transfer of a drug or vaccine received from or on behalf of a federal, state, or municipal entity for the purpose of treating or immunizing patients during a state or federally declared disaster or emergency;

7. The sale, purchase, or transfer of a drug or vaccine subject to an emergency use authorization issued by the United States Food and Drug Administration for a public health emergency;

[6./8. The sale, purchase, transfer, or trade of a prescription drug to alleviate a temporary shortage of a prescription drug that is in limited supply or unavailable due to delays in or interruption of supply. Drugs sold, purchased, transferred, or traded pursuant to this section shall only be sold, purchased, transferred, or traded directly from an importer or manufacturer authorized by or registered with the United States Food and Drug Administration (FDA) to import or manufacture the drug that is unavailable or in short supply. In addition, sales, purchases, transfers, or trades shall be limited to the period of shortage and to the drug that is unavailable or in limited supply. Documentation of FDA authorization or registration shall be maintained in the licensee's or recipient's records; and

[7./9. The sale, purchase, transfer, or trade of a drug between a Missouri licensed pharmacy and a non-resident pharmacy that is located in and licensed by another state or United States territory. The total amount of drug sold, purchased, transferred, or traded by the Missouri-licensed pharmacy pursuant to this subsection shall not exceed five percent (5%) of the pharmacy's total annual prescription drug sales. Missouri pharmacies receiving drugs pursuant to this section from a non-resident pharmacy shall maintain the following records for two (2) years from the date of sale, purchase, transfer, or trade:

A. Proof the non-resident pharmacy holds a current pharmacy license in the state or territory from which the drug is shipped or distributed; and

B. An invoice record which documents the name and address of the non-resident pharmacy, the date of sale, purchase, transfer, or trade, and the name, strength, and quantity of the drug received. The pharmacies shall also comply with all applicable controlled substance requirements.

AUTHORITY: sections [338.340] 338.335 and 338.350, RSMo [2000] 2016, and sections 338.140.1, 338.315, 338.330, 338.333, [338.335] 338.337, and 338.340, RSMo Supp. [2014] 2020. This rule originally filed as 4 CSR 220-5.020. Original rule filed Feb. 4,

1991, effective June 10, 1991. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 29, 2020, effective Nov. 13, 2020, expires May 11, 2021. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 22—MISSOURI CONSOLIDATED HEALTH CARE PLAN Division 10—Health Care Plan Chapter 2—State Membership

EMERGENCY AMENDMENT

22 CSR 10-2.046 PPO 750 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This emergency amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

EMERGENCY STATEMENT: This emergency amendment must be in place by January 1, 2021, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (employees, retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to members as one (1) method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the *Missouri Register*. This emergency amendment complies with the protections extended by the *Missouri and United States Constitutions* and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was filed October 26, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

- (D) Four (4) Diabetes Self-Management Education visits; [and/
- (E) Sterilization procedure for men/.]; and
- (F) Virtual visits offered through the vendor's telehealth tool.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership
EMERGENCY AMENDMENT**

22 CSR 10-2.047 PPO 1250 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This emergency amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

EMERGENCY STATEMENT: This emergency amendment must be in place by January 1, 2021, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (employees, retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to members as one (1) method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. This emergency amendment complies with the protections extended by the **Missouri and United States Constitutions** and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was filed October 26, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

- (D) Four (4) Diabetes Self-Management Education visits; [and]
- (E) Sterilization procedure for men/.; and
- (F) Virtual visits offered through the vendor's telehealth tool.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership
EMERGENCY AMENDMENT**

22 CSR 10-2.053 Health Savings Account Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (3), adding section (10), and renumbering as necessary.

PURPOSE: This emergency amendment revises the out-of-pocket maximum for individual family members and adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

EMERGENCY STATEMENT: This emergency amendment must be in place by January 1, 2021, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (employees, retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to members as one (1) method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. This emergency amendment complies with the protections extended by the **Missouri and United States Constitutions** and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was

filed October 26, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(3) Out-of-pocket maximum.

(A) The family out-of-pocket maximum applies when two (2) or more family members are covered. The family out-of-pocket maximum must be met before the plan begins to pay one hundred percent (100%) of all covered charges for any covered family member. Out-of-pocket maximums are per calendar year, as follows:

1. Network out-of-pocket maximum for individual—four thousand nine hundred fifty dollars (\$4,950);

2. Network out-of-pocket maximum for family—nine thousand nine hundred dollars (\$9,900). Any individual family member need only incur a maximum of *eight thousand one hundred fifty dollars (\$8,150)* **eight thousand five hundred fifty dollars (\$8,550)** before the plan begins paying one hundred percent (100%) of covered charges for that individual;

3. Non-network out-of-pocket maximum for individual—nine thousand nine hundred dollars (\$9,900); and

4. Non-network out-of-pocket maximum for family—nineteen thousand eight hundred dollars (\$19,800).

(10) Virtual visits offered through the vendor's telehealth tool are covered at one hundred percent (100%).

[(10)](11) Newborn's claims will be subject to deductible and coinsurance.

[(11)](12) Married, active employees who are MCHCP subscribers and have enrolled children may meet only one (1) family deductible and out-of-pocket maximum. Both spouses must enroll in the same medical plan option through the same carrier, and each must provide the other spouse's Social Security number (SSN) and report the other spouse as eligible for coverage when newly hired and during the open enrollment process. In the medical plan vendor and pharmacy benefit manager system, the spouse with children enrolled will be considered the subscriber and the spouse that does not have children enrolled will be considered a dependent. If both spouses have children enrolled the spouse with the higher Social Security number (SSN) will be considered the subscriber. Failure to report an active employee spouse when newly hired and/or during open enrollment will result in a separate deductible and out-of-pocket maximum for both active employees.

[(12)](13) Each subscriber will have access to payment information of the family unit only when authorization is granted by the adult covered dependent(s).

[(13)](14) Expenses toward the deductible and out-of-pocket maximum will be transferred if the member changes non-Medicare medical plans or continues enrollment under another subscriber's non-Medicare medical plan within the same plan year.

[(14)](15) Maximum plan payment—Non-network medical claims that are not otherwise subject to a contractual discount arrangement are processed at one hundred ten percent (110%) of Medicare reimbursement for non-network professional claims and following the claims administrator's standard practice for non-network facility claims. Members may be held liable for the amount of the fee above the allowed amount.

[(15)](16) Any claim must be initially submitted within twelve (12) months following the date of service, unless otherwise specified in the network provider contract. The plan reserves the right to deny claims not timely filed. A provider initiated correction to the originally filed claim must be submitted within the timeframe agreed in the provider contract, but not to exceed three hundred sixty-five (365) days from adjudication of the originally filed claim. Any claims

reprocessed as primary based on action taken by Medicare or Medicaid must be initiated within three (3) years of the claim being incurred.

[(16)](17) For a member who is an inpatient on the last calendar day of a plan year and remains an inpatient into the next plan year, the prior plan year's applicable deductible and/or coinsurance amounts will apply to the in-hospital facility and related ancillary charges until the member is discharged.

[(17)](18) Services performed in a country other than the United States may be covered if the service is included in 22 CSR 10-2.055. Emergency and urgent care services are covered as a network benefit. All other non-emergency services are covered as determined by the claims administrator. If the service is provided by a non-network provider, the member may be required to provide payment to the provider and then file a claim for reimbursement subject to timely filing limits.

[(18)](19) An active employee subscriber does not qualify for the HSA Plan if s/he is claimed as a dependent on another person's tax return or, except for the plans listed in section (20) of this rule, is covered under or enrolled in any other health plan that is not a high deductible health plan, including, but not limited to, the following types of insurance plans or programs:

(A) Medicare (unless Medicare is secondary coverage to MCHCP);

(B) TRICARE;

(C) A health care flexible spending account (FSA), with the exception of participation in the premium-only, limited-purpose health FSA, and dependent care section;

(D) Health reimbursement account (HRA); or

(E) If the member has received medical benefits from The Department of Veterans Affairs (VA) at any time during the previous three (3) months, unless the medical benefits received consist solely of disregarded coverage or preventive care.

[(19)](20) If an active employee subscriber and/or his/her dependent(s) is enrolled in the HSA Plan and becomes ineligible for the HSA Plan during the plan year, the subscriber and/or his/her dependent(s) will be enrolled in the PPO 1250 Plan. The subscriber may enroll in a different non-HSA Plan within thirty-one (31) days of notice from MCHCP.

[(20)](21) A subscriber may qualify for this plan even if s/he is covered by any of the following:

(A) Drug discount card;

(B) Accident insurance;

(C) Disability insurance;

(D) Dental insurance;

(E) Vision insurance; or

(F) Long-term care insurance.

[(21)](22) Health Savings Account (HSA) Contributions.

(A) To receive contributions from MCHCP, the subscriber must be an active employee and HSA eligible as defined in the Internal Revenue Service Publication 969 on the date the contribution is made and open an HSA with the bank designated by MCHCP.

1. Subscribers who enroll in the HSA Plan during open enrollment who have a balance in a health care FSA on January 1 of the new plan year cannot receive an HSA contribution from MCHCP until after the health care FSA grace period ends March 15.

(B) A new employee or subscriber electing coverage due to a life event or loss of employer-sponsored coverage with an effective date after the MCHCP contribution will receive an applicable prorated contribution. Unless a subscriber is eligible for a special enrollment period, a subscriber will not be able to voluntarily change his/her plan selection.

(C) A subscriber who moves from subscriber-only coverage to another coverage level with an effective date after the MCHCP contribution will receive an applicable prorated contribution based on the increased level of coverage.

(D) If a subscriber moves from another coverage level to subscriber-only coverage, cancels all coverage, or MCHCP terminates coverage and has received an HSA contribution, MCHCP will not request a re-payment of the contribution.

(E) If both spouses are state employees covered by MCHCP and they both enroll in an HSA Plan, they must each have a separate HSA. The maximum contribution MCHCP will make for the family is six hundred dollars (\$600) regardless of the number of HSAs or the number of children covered under the HSA Plan for either parent. MCHCP will consider married state employees as one (1) family and will not make two (2) family contributions to both spouses or one (1) family contribution and one (1) individual contribution. MCHCP will make a maximum three hundred dollar (\$300) contribution to each spouse to total a maximum of six hundred dollars (\$600).

(F) The MCHCP contributions will be deposited into the subscriber's HSA as follows:

1. The January deposit will be made on the third Monday of the month, or the first working day after the third Monday if the third Monday is a holiday;

2. The April deposit will be made on the first Monday in April; and

3. Other deposits will be made on the first Monday of the month in which coverage is effective, or the first working day after the first Monday of the month coverage is effective if the first Monday is a state holiday.

AUTHORITY: sections 103.059 and 103.080.3., RSMo 2016. Emergency rule filed Dec. 22, 2008, effective Jan. 1, 2009, expired June 29, 2009. Original rule filed Dec. 22, 2008, effective June 30, 2009. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 22—MISSOURI CONSOLIDATED HEALTH CARE PLAN Division 10—Health Care Plan Chapter 2—State Membership

EMERGENCY AMENDMENT

22 CSR 10-2.089 Pharmacy Employer Group Waiver Plan for Medicare Primary Members. The Missouri Consolidated Health Care Plan is amending section (1).

PURPOSE: This emergency amendment revises Medicare Part D coverage stage and copayment amounts.

EMERGENCY STATEMENT: This emergency amendment must be in place by January 1, 2021, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (employees, retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits

and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to members as one (1) method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. This emergency amendment complies with the protections extended by the Missouri and United States Constitutions and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was filed October 26, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(1) The pharmacy benefit for Medicare primary non-active members is provided through a Pharmacy Employer Group Waiver Plan (EGWP) as regulated by the Centers for Medicare and Medicaid Services herein after referred to as the Medicare Prescription Drug Plan.

(F) The Medicare Prescription Drug Plan is comprised of a Medicare Part D prescription drug plan contracted by MCHCP and some non-Part D medications that are not normally covered by a Medicare Part D prescription drug plan. The requirements for the Medicare Part D prescription drug plan are as follows:

1. The Centers for Medicare and Medicaid Services regulates the Medicare Part D prescription drug program. The Medicare Prescription Drug Plan abides by those regulations;

2. Initial Coverage Stage. Until a member's total yearly Part D prescription drug costs reach [four thousand twenty dollars (\$4,020)] **four thousand one hundred thirty dollars (\$4,130)**, the member will pay the following copayments:

A. Preferred Formulary Generic Drugs: thirty-one- (31-) day supply has a ten dollar (\$10) copayment; sixty- (60-) day supply has a twenty dollar (\$20) copayment; ninety- (90-) day supply at retail has a thirty dollar (\$30) copayment; and a ninety- (90-) day supply through home delivery has a twenty-five dollar (\$25) copayment;

B. Preferred Formulary Brand Drugs: thirty-one- (31-) day supply has a forty dollar (\$40) copayment; sixty- (60-) day supply has an eighty (\$80) dollar copayment; ninety- (90-) day supply at retail has a one hundred twenty (\$120) dollar copayment; and a ninety- (90-) day supply through home delivery has a one hundred (\$100) dollar copayment; and

C. Non-preferred Formulary Drugs and approved excluded drugs: thirty-one- (31-) day supply has a one hundred dollar (\$100) copayment; sixty- (60-) day supply has a two hundred dollar (\$200) copayment; ninety- (90-) day supply at retail has a three hundred dollar (\$300) copayment; and a ninety- (90-) day supply through home delivery has a two hundred fifty dollar (\$250) copayment;

3. Coverage Gap Stage. After a member's total yearly Part D prescription drug costs exceed [four thousand twenty dollars (\$4,020)] **four thousand one hundred thirty dollars (\$4,130)** and remain below [six thousand three hundred fifty dollars (\$6,350)] **six thousand five hundred fifty dollars (\$6,550)**, the member will continue to pay the same cost-sharing amount as in the Initial Coverage stage until the yearly out-of-pocket Part D prescription drug costs reach [six thousand three hundred fifty dollars (\$6,350)] **six thousand five hundred fifty dollars (\$6,550)**;

4. Catastrophic Coverage Stage. After a member's total yearly out-of-pocket Part D prescription drug costs reach *[six thousand three hundred fifty dollars (\$6,350)]* **six thousand five hundred fifty dollars (\$6,550)**, the member will pay the greater of—

A. Five percent (5%) coinsurance or a *[three dollar and sixty cent (\$3.60)]* **three dollar and seventy cent (\$3.70)** copayment for covered generic drugs (including brand drugs treated as generics), with a maximum not to exceed the standard copayment during the Initial Coverage stage; or

B. Five percent (5%) coinsurance or an *[eight dollar and ninety-five cent (\$8.95)]* **nine dollar and twenty cent (\$9.20)** copayment for all other covered drugs, with a maximum not to exceed the standard copayment during the Initial Coverage stage; and

5. Amounts paid by the member or the plan for non-Part D prescription drugs will not count toward total Part D prescription drug costs or total Part D prescription drug out-of-pocket costs.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 30, 2013, effective Jan. 1, 2014, expired June 29, 2014. Original rule filed Oct. 30, 2013, effective June 30, 2014. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 22—MISSOURI CONSOLIDATED HEALTH CARE PLAN Division 10—Health Care Plan Chapter 3—Public Entity Membership

EMERGENCY AMENDMENT

22 CSR 10-3.030 Public Entity Membership Agreement and Participation Period. The Missouri Consolidated Health Care Plan is amending section (1).

PURPOSE: This emergency amendment revises participation and contribution requirements for dental coverage.

EMERGENCY STATEMENT: This emergency amendment must be in place by January 1, 2021, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (public entity employee members, retirees, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to public entity employee members, retirees, and their families as one (1)

method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. This emergency amendment complies with the protections extended by the Missouri and United States Constitutions and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was filed October 26, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(1) The participation agreement, these rules, and applicable provisions of law constitute the membership agreement between a public entity and the Missouri Consolidated Health Care Plan (MCHCP).

(A) By applying for coverage under MCHCP, a public entity agrees that—

1. A public entity must make health care coverage available to all eligible employees, their dependents, former employees entitled to a future retirement benefit, and retirees;

2. MCHCP will be the only health care offering made to its eligible members;

3. The public entity shall contribute at least fifty percent (50%) of the lowest-cost employee-only premium per month toward each active employee's premium for the plan(s) offered through MCHCP. There is no contribution requirement for dependents or retirees;

4. *[The public entity shall contribute at least fifty percent (50%) toward the employee-only dental premium per month. One hundred percent (100%) of the employees enrolled in the medical plan and fifty percent (50%) of dependents enrolled in the medical plan must participate in the dental plan. The number of employees enrolled in the dental plan must be equal to or exceed the number in the medical plan, but the same employees do not have to be enrolled in both plans;]* **There are no participation or contribution requirements for dental coverage;**

5. There are no participation or contribution requirements for vision coverage;

6. The Employee Assistance Program is paid by the employer and requires one hundred percent (100%) participation of employees eligible for medical coverage and can be expanded to additional classifications;

7. For public entities with fewer than twenty-five (25) employees, the public entity shall only offer one (1) MCHCP medical plan choice to its employees. For public entities with twenty-five (25) or more employees, the public entity may offer two (2) MCHCP medical plan choices;

8. For public entities with more than a total of three (3) employees, at least seventy-five percent (75%) of all eligible employees must enroll in MCHCP. If an employee declines coverage, s/he must submit a form stating coverage is waived. If the employee is waiving coverage because s/he is covered under another group health plan, Medicare or Medicaid, the employee must submit proof of other coverage. An employee with other group coverage, Medicare, or Medicaid is exempt from the seventy-five percent (75%) enrollment participation requirement. A participation audit will be conducted annually to ensure the participation requirement is met;

9. Any individual eligible as an employee may be covered as either an employee or dependent, but not both. Employees enrolled as dependents will not be considered as eligible employees;

10. A public entity may apply a probationary period, not to exceed applicable federal guidelines, before benefits become effective; and

11. A public entity must notify MCHCP of a member's termination within thirty (30) days of the termination.

AUTHORITY: section 103.059, RSMo [2000] 2016. Emergency rule filed Dec. 20, 2004, effective Jan. 1, 2005, expired June 29, 2005.

Original rule filed Dec. 20, 2004, effective June 30, 2005. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: *This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.*

PRIVATE COST: *This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.*

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership
EMERGENCY AMENDMENT**

22 CSR 10-3.055 Health Savings Account Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (3), adding section (10), and renumbering as necessary.

PURPOSE: *This emergency amendment revises the out-of-pocket maximum for individual family members and adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.*

EMERGENCY STATEMENT: *This emergency amendment must be in place by January 1, 2021, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (public entity employee members, retirees, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to public entity employee members, retirees, and their families as one (1) method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. This emergency amendment complies with the protections extended by the Missouri and United States Constitutions and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was filed October 26, 2020, becomes effective January 1, 2021, and expires June 29, 2021.*

(3) Out-of-pocket maximum.

(A) The family out-of-pocket maximum applies when two (2) or more family members are covered. The family out-of-pocket maxi-

mum must be met before the plan begins to pay one hundred percent (100%) of all covered charges for any covered family member. Out-of-pocket maximums are per calendar year, as follows:

1. Network out-of-pocket maximum for individual—four thousand nine hundred fifty dollars (\$4,950);

2. Network out-of-pocket maximum for family—nine thousand nine hundred dollars (\$9,900). Any individual family member need only incur a maximum of eight thousand *[one hundred fifty dollars (\$8,150)]* **eight thousand five hundred fifty dollars (\$8,550)** before the plan begins paying one hundred percent (100%) of covered charges for that individual;

3. Non-network out-of-pocket maximum for individual—nine thousand nine hundred dollars (\$9,900); and

4. Non-network out-of-pocket maximum for family—nineteen thousand eight hundred dollars (\$19,800).

(10) Virtual visits offered through the vendor's telehealth tool are covered at one hundred percent (100%).

[(10)](11) Newborn's claims will be subject to deductible and coinsurance.

[(11)](12) Each subscriber will have access to payment information of the family unit only when authorization is granted by the adult covered dependent(s).

[(12)](13) Expenses toward the deductible and out-of-pocket maximum will be transferred if the member changes medical plans or continues enrollment under another subscriber's plan within the same plan year.

[(13)](14) Maximum plan payment—Non-network medical claims that are not otherwise subject to a contractual discount arrangement are processed at one hundred ten percent (110%) of Medicare reimbursement for non-network professional claims and following the claims administrator's standard practice for non-network facility claims. Members may be held liable for the amount of the fee above the allowed amount.

[(14)](15) Any claim must be initially submitted within twelve (12) months following the date of service, unless otherwise specified in the network provider contract. The plan reserves the right to deny claims not timely filed. A provider initiated correction to the originally filed claim must be submitted within the timeframe agreed in the provider contract, but not to exceed three hundred sixty-five (365) days from adjudication of the originally filed claim. Any claims reprocessed as primary based on action taken by Medicare or Medicaid must be initiated within three (3) years of the claim being incurred.

[(15)](16) For a member who is an inpatient on the last calendar day of a plan year and remains an inpatient into the next plan year, the prior plan year's applicable deductible and/or coinsurance amounts will apply to the in-hospital facility and related ancillary charges until the member is discharged.

[(16)](17) A subscriber does not qualify for the HSA Plan if s/he is claimed as a dependent on another person's tax return or, except for the plans listed in section (17) of this rule, is covered under or enrolled in any other health plan that is not a high deductible health plan, including, but not limited to, the following types of insurance plans or programs:

(A) Medicare (unless Medicare is secondary coverage to MCHCP);

(B) TRICARE;

(C) A health care flexible spending account (FSA), with the exception of participation in the premium-only, limited-purpose health FSA, and dependent care section;

(D) Health reimbursement account (HRA); or

(E) If the member has received medical benefits from The Department of Veterans Affairs (VA) at any time during the previous three (3) months, unless the medical benefits received consist solely of disregarded coverage or preventive care.

[(17)](18) A subscriber may qualify for this plan even if s/he is covered by any of the following:

- (A) Drug discount card;
- (B) Accident insurance;
- (C) Disability insurance;
- (D) Dental insurance;
- (E) Vision insurance; or
- (F) Long-term care insurance.

[(18)](19) Services performed in a country other than the United States may be covered if the service is included in 22 CSR 10-3.057. Emergency and urgent care services are covered as a network benefit. All other non-emergency services are covered as determined by the claims administrator. If the service is provided by a non-network provider, the member may be required to provide payment to the provider and then file a claim for reimbursement subject to timely filing limits.

AUTHORITY: sections 103.059 and 103.080.3., RSMo 2016. Emergency rule filed Dec. 22, 2009, effective Jan. 1, 2010, expired June 29, 2010. Original rule filed Jan. 4, 2010, effective June 30, 2010. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

EMERGENCY AMENDMENT

22 CSR 10-3.058 PPO 750 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This emergency amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

EMERGENCY STATEMENT: This emergency amendment must be in place by January 1, 2021, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (public entity employee members, retirees, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure

that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to public entity employee members, retirees, and their families as one (1) method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. This emergency amendment complies with the protections extended by the **Missouri and United States Constitutions** and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was filed October 26, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

- (D) Four (4) Diabetes Self-Management Education visits; [and]
- (E) Sterilization procedure for men./.; and
- (F) Virtual visits offered through the vendor's telehealth tool.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

EMERGENCY AMENDMENT

22 CSR 10-3.059 PPO 1250 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This emergency amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

EMERGENCY STATEMENT: This emergency amendment must be in place by January 1, 2021, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (public entity employee members, retirees, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities

*for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to public entity employee members, retirees, and their families as one (1) method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. This emergency amendment complies with the protections extended by the **Missouri** and **United States Constitutions** and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was filed October 26, 2020, becomes effective January 1, 2021, and expires June 29, 2021.*

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

(D) Four (4) Diabetes Self-Management Education visits; *[and]*

(E) Sterilization procedure for men~~f.~~; **and**

(F) Virtual visits offered through the vendor's telehealth tool.

*AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.*

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

GOVERNOR'S PROCLAMATION

WHEREAS, on March 13, 2020, I signed Executive Order 20-02 declaring a state of emergency in response to the spread of COVID-19 virus; and

WHEREAS, due to COVID-19, the General Assembly was only able to meet in limited fashion during the Second Regular Session of the One Hundredth General Assembly; and

WHEREAS, the United States Congress passed, and the President of the United States signed into law, four bills that awarded the State of Missouri funding including the Coronavirus Preparedness and Response Supplemental Appropriations Act, the Families First Coronavirus Response Act, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and the Paycheck Protection Program and Health Care Enhancement Act; and

WHEREAS, the aforementioned federal funding was intended for several different programs and grants across state government; and

WHEREAS, the General Assembly Truly Agreed to and Finally Passed the budget on May 8, 2020; and

WHEREAS, since the time the budget was passed by the General Assembly, additional funding has been made available to the State of Missouri through grants provided by these federal laws to help respond to COVID-19; and

WHEREAS, there is an immediate need to appropriate additional resources to respond to COVID-19 and to ensure the health and safety of the public.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the One Hundredth General Assembly of the State of Missouri in the Second Extra Session of the Second Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m. on Thursday, November 5, 2020; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To enact legislation providing for the supplemental appropriation of additional state and federal resources, including such resources necessary to respond to COVID-19;
2. To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require the advice and consent of the Senate; and
3. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 21st day of October, 2020.

A handwritten signature in black ink, reading "Michael L. Parson", written over a horizontal line.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

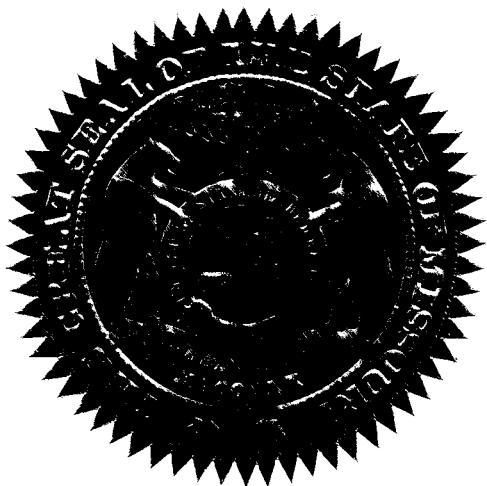
A handwritten signature in black ink, reading "John R. Ashcroft", written over a horizontal line.

JOHN R. ASHCROFT
SECRETARY OF STATE

EXECUTIVE ORDER
20-18

TO ALL DEPARTMENTS AND AGENCIES:

This is to advise that state offices of the executive branch under the purview of the Governor will be closed on Friday, November 27, 2020.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 30th day of October, 2020.

A handwritten signature in black ink, appearing to read "Michael L. Parson", written over a horizontal line.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

A handwritten signature in black ink, appearing to read "John R. Ashcroft", written over a horizontal line.

JOHN R. ASHCROFT
SECRETARY OF STATE

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.180 Temporary Authorization Certificate of License to Teach. The State Board of Education is amending subsection (6)(B).

PURPOSE: This amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(6) The applicant for a temporary authorization certificate (excluding a temporary authorization administrator and career education certificate) must comply with the following criteria:

(B) *[Possession of an overall grade point average of 2.75*

or higher on a 4.0 scale, and a]A content area grade point average of 3.00 or higher on a 4.0 scale;

AUTHORITY: sections 161.092, 168.011, 168.071, and 168.081, RSMo 2016, and section 168.021, RSMo Supp. [2019] 2020. This rule previously filed as 5 CSR 80-800.260. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 2, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.500 Application for Certificate of License to Teach. The State Board of Education is amending subsection (5)(B).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(5) An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the department must comply with the following additional criteria in addition to any requirements specific to the content area for which the applicant seeks certification:

(B) The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[1. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

2. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

1. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[3.]2. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying [cumulative] content area grade point average.

Such satisfactory score shall be higher than the Missouri qualifying score;

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, [RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013] RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Nov. 2, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.510 Certification Requirements for Teacher of Early Childhood Education (Birth – Grade 3). The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Early Childhood Education (Birth – Grade 3) who possesses good moral character may be granted an initial Missouri certificate of license to teach Early Childhood Education (Birth – Grade 3) subject to the certification requirements found in 5 CSR 20- 400.500 and the following additional certification requirements specific to Early Childhood Education (Birth – Grade 3):

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;
2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;
3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the

specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in [5 CSR 20-400.310 and] 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

AUTHORITY: sections 161.092, 168.011, [168.021,] 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended Filed June 22, 2018, effective Jan. 30, 2019. Amended: Filed Nov. 2, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.520 Certification Requirements for Teacher of Elementary Education (Grades 1-6). The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Elementary Education (Grades 1-6) who possesses good moral character may be granted an initial Missouri certificate of license to teach Elementary Education (Grades 1-6) subject to the certification

requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Elementary Education (Grades 1-6):

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in *[5 CSR 20-400.310 and] 5 CSR 20-400.440*. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

AUTHORITY: sections 161.092, 168.011, [168.021,] 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed June 22, 2018, effective Jan. 30, 2019. Amended: Filed Nov. 2, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr.

Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.530 Certification Requirements for Teacher of Middle School Education (Grades 5-9). The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Middle School Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Middle School Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Middle School Education:

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in *[5 CSR 20-400.310 and] 5 CSR 20-400.440*. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, [RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013] RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Nov. 2, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.540 Certification Requirements for Teacher of Secondary Education (Grades 9-12). The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Secondary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Secondary Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Secondary Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess [an overall] a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring

semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in [5 CSR 20-400.310 and] 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. [2018] 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Jan. 15, 2019, effective Aug. 30, 2019. Amended: Filed Nov. 2, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.550 Certification Requirements for Teacher of K-12 Education. The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Secondary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach K-12 Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to K-12 Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri[.];

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department[.];

3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in [5 CSR 20-400.310 and] 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements[.]; **and**

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

AUTHORITY: sections: **161.092, 168.011, 168.071, 168.081, 168.400, 168.405, 168.409, [RSMo 2000, 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013.] RSMo 2016, and 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Nov. 2, 2020.**

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

**Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.560 Certification Requirements for Teacher of Special Education. The State Board of Education is amending subsection (1)(A).

PURPOSE: *This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.*

(1) An applicant for a Missouri certificate of license to teach Special Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Special Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in [5 CSR 20-400.310 and] 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as

determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

- A. English Composition, two (2) courses, each a minimum of two (2) semester hours;
- B. U.S. History, three (3) semester hours; and
- C. U.S. Government, three (3) semester hours;

AUTHORITY: sections: 161.092, 168.011, [168.021,] 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed June 21, 2018, effective Jan. 30, 2019. Amended: Filed Nov. 2, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection

PROPOSED AMENDMENT

11 CSR 50-2.020 Minimum Inspection Station Requirements. The division is amending sections (1) and (2).

PURPOSE: This amendment updates information on approved outside inspection areas at Class B stations, creates a provision for approved outside inspection areas at Class C stations, removes the requirement for brake testing equipment and window tint testing devices at class A, B, and D stations and renumbers within the subsection, and adds requirements for brake pad gauges, ball joint gauges, and jacks/lifting mechanisms at Class C stations and renumbers within the subsection.

(1) Premises.

(A) Each inspection station must have an inspection area within an enclosed building of sufficient length, width, and height to accommodate the type of vehicle being inspected. Class A and D stations are required to accommodate a commercial vehicle. Class B stations must accommodate a **standard** full-size [domestic made] passenger vehicle. Class C stations are required to have sufficient length and width to inspect full-size motorcycles.

[1. In addition to an inside area, an outside inspection area may be approved for the inspection of commercial vehicles at Class B stations, if it is of sufficient length and width of the vehicle or combination of vehicles being inspected.]

1. In addition to an inside area, an outside area may be approved for—

- A. Inspection of commercial vehicles at Class B stations; and
- B. Inspection of motor tricycles and autocycles at Class C stations.

2. The area shall be substantially level and constructed of hard material, such as asphalt or concrete. It shall be a part of and adjacent to the official vehicle inspection station.

(2) Equipment.

(A) All inspection stations, except Class C, must have the following equipment which must be arranged and located at or near the inside inspection area:

[1. **Brake performance.** Some method of testing the service brake performance will be required. The use of a decelerometer, brake testing machine, dynamometer or drive and stop test will be recognized;]

[2.]1. **Brake lining gauge.** A gauge will be required to determine the remaining thickness in fractions of an inch of both bonded and riveted linings;

[3.]2. **Brake pad gauge.** Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

[4.]3. **Ball joint gauge.** A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

[5.]4. **Lift or jack.** A lift or jack, capable of hoisting a vehicle properly to check ball joints, suspension linkage and wheel play. If a lift is used, it must be the type which allows the front wheels to be suspended by lifting under the outer extremity of a motor vehicle's lower control arm, cross member or frame;

[6.]5. **Scraper.** A scraper to remove old stickers;

[7.]6. **Measuring device.** Yardstick or steel tape preferred;

[8.]7. **Punch.** An open face paper punch with a round die to validate inspection stickers and decals;

[9.]8. A tire tread depth gauge which is graduated into one-thirty-second inch (1/32") increments must be part of the equipment at inspection stations that inspect school buses; and

[10.]9. A one-eighth inch (1/8") drawstring over thirty inches (30") in length with a one-half inch (1/2") hex nut attached to one (1) end to check handrails is required if the station will be inspecting school buses; and].

[11. A device which is capable of measuring or comparing the light transmission of all tinted windows.]

(B) Class C inspection stations must have the following equipment:

1. **Brake pad gauge.** Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

2. **Ball joint gauge.** A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

3. **A jack or lifting mechanism capable of lifting the vehicle so at least one (1) wheel is off the ground;**

[1.]4. **Measuring device;** and

[2.]5. **Punch.**

AUTHORITY: section 307.360, RSMo [2000] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver

& Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.030 Inspection Station Classification. The division is amending subsections (1)(A)-(1)(D).

PURPOSE: This amendment changes the types of vehicles Class A-D motor vehicle safety inspection stations are authorized and/or obligated to inspect.

(1) Public inspection stations shall be classified as follows:

(A) Class A stations[—all vehicles] are authorized to inspect all vehicles;

(B) Class B stations[—motor vehicles and autocycles;] are authorized to inspect, at a minimum, standard full-size passenger vehicles and pickups.

1. Class B stations are authorized to inspect larger vehicles, including commercial vehicles that can fit inside their inspection bay.

2. Class B stations are eligible to apply for authorization to inspect commercial vehicles at an outdoor location approved by the Missouri State Highway Patrol.

3. Class B station are eligible to apply for authorization to inspect motorcycles, motor tricycles, and autocycles;

(C) Class C stations[—motorcycles only; and] are only authorized to inspect motorcycles, motor tricycles, and autocycles.

1. Class C stations are eligible to apply for authorization to inspect motor tricycles and autocycles at an outdoor location approved by the Missouri State Highway Patrol; and

(D) Class D stations[—commercial vehicles] are only authorized to inspect commercial motor vehicles.

AUTHORITY: section 307.360, RSMo 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.080 Licensing of Inspector/Mechanics. The division

is amending section (7).

PURPOSE: This amendment changes the types of vehicles each type of inspector/mechanic permit authorizes.

(7) Two (2) types of inspector/mechanic permits are available—[a permit that restricts the inspector/mechanic to motorcycle and motor tricycle inspections only and a permit that authorizes an inspector/mechanic to safety inspect motor vehicles.]

(A) A permit that restricts the inspector/mechanic to motorcycle, motor tricycle, and autocycle inspections only; and

(B) A permit that authorizes the inspector/mechanic to safety inspect motor vehicles.

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.090 Inspection Station Operational Requirements. The division is amending section (2).

PURPOSE: This amendment updates information related to where motor vehicle inspections are allowed to be performed.

(2) All inspections must be conducted at the inspection station in the approved inside inspection area[. Large], except that large commercial vehicles, motor tricycles, and autocycles unable to fit within the approved inside inspection area may be inspected in an approved outside inspection area[.] during good weather only[, if the station has an approved outside inspection area. Reinspection of a vehicle's lights, windshield wipers, seat belts, horn, glazing and mirrors may be conducted outside the inspection station on the driveway. Under no circumstances may an inspection be performed at any other location].

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500)

in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.160 Brake Components. The division is amending subparagraphs (2)(A)1.E., G., K., and L.

PURPOSE: This amendment updates rejection criteria for the inspection of drums, discs, and internal brake components to align with current industry standards.

(2) Drums, Discs, and Internal Brake Components. At least one (1) front or one (1) rear wheel and drum must be removed on each passenger vehicle, one-half (1/2) ton and three-quarter (3/4) ton pickup trucks, or similar type vehicles not equipped with dual rear wheels. Only the wheel must be removed on vehicles equipped with disc brakes. Identification marks shall be made on the wheel and lug before removal so the wheel can be remounted in the same position to insure wheel balance. On drum brake systems, a new cotter pin must always be used when remounting a wheel and drum. The removal of a wheel and/or drum is not required if the brake performance test has been administered using an approved computerized brake testing machine. When an approved computerized brake testing machine is used, and no wheel is removed, the inspector shall mark through the space on the MVI-2 form provided for "Brake Inspected" with the letters "CBTM." When removal of a wheel is required, a wheel appearing to leak brake fluid or grease, shall be the wheel removed to inspect for contamination. Wheels on four- (4-)/ wheel drive vehicles equipped exclusively with drum-type brakes are not required to be removed.

(A) Inspect drums, discs, calipers, linings, pads, wheel cylinders, hoses, lines, and other internal brake components.

1. Reject vehicle if:/—

A. There are substantial cracks on the friction surface extending to open edge of drum or to the edge of a disc;

B. A brake drum or disc has external cracks;

C. Friction surface of disc brake pads, rotor, brake linings, or brake drum is contaminated with oil, grease, or brake fluid;

D. A brake lining is worn into the friction surface of the brake drum where the brake drum cannot be removed after loosening the adjusting screw (backing off of the self-adjusting mechanism);

E. Thinnest point of bonded lining is less than *[one-thirty-second inch (1/32")]* **two thirty-seconds inch (2/32")**;

F. Rivets are loose or missing or if lining or pad is not firmly attached to shoe;

G. Riveted lining is worn to less than *[one-thirty-second inch (1/32")]* **two thirty-seconds inch (2/32")** above any rivet head at thinnest point;

H. Wire is visible on the friction surface of wire-backed linings;

I. Lining is broken or cracked, does not include heat cracks;

J. A primary or secondary shoe and lining is improperly

installed;

K. Bonded pads are worn at any one (1) point to less than *[one-thirty-second inch (1/32")]* **two thirty-seconds inch (2/32")**;

L. Riveted pads are worn at any one (1) point to less than *[five-thirty-seconds inch (5/32")]* **six thirty-seconds inch (6/32")**. If unable to determine if pads are riveted or bonded, pads will be considered to be bonded pads;

M. A wheel cylinder or caliper leaks a sufficient amount of hydraulic brake fluid to cause droplets. Do not mistake assembly fluid for hydraulic fluid;

N. Hoses or tubing leak or are cracked, chafed, flattened, restricted, bubbled, improperly installed, or insecurely fastened;

O. Mechanical parts are missing, broken, or badly worn;

P. There is excessive friction in brake pedal, linkage, or other components;

Q. Pedal levers are improperly positioned or misaligned; or

R. Brake components are misaligned, binding, obstructed, or will not function properly.

AUTHORITY: section 307.360, RSMo [2000] **2016**. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed Dec. 5, 1969, effective Dec. 15, 1969. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.200 Steering Mechanisms. The division is amending sections (1), (2), and (4).

PURPOSE: This amendment updates inspection and rejection criteria for steering wheel play, front and rear wheel play, and ball joints, to align with current industry standards, and updates figures in accordance with changes to rule.

(1) Steering Wheel Play.

(B) Inspect steering.

1. Reject vehicle if:/—

A. Steering gear binds or jams other than at wheel stops;

B. There is more than two inches (2") of free movement in steering wheels up to and including eighteen inches (18") in diameter or more than three inches (3") in steering wheels over eighteen inches (18") in diameter;

C. Power steering belt slips, is frayed, if serpentine power steering belt has sections missing, if fluid level is below manufacturer's minimum fluid level, if hoses or connections are leaking, if a power steering unit has been disconnected and has not been converted to manual steering, or if any component part is missing, loose,

malfunctions, or [leaking] leaks sufficient fluid to cause droplets;

D. Energy absorbing steering column is collapsed or partially collapsed;

E. Steering wheel and steering column are not properly secured; or

F. Steering gear box or steering rack assembly is not securely mounted.

(2) Front and Rear Wheel Play.

(A) An inspection for front and rear wheel play, which includes steering linkage, pitman arm, idler arm, stabilizer bar(s), connections, link(s), wheel bearings, tie rod ends, and adjusting sleeves, can only be made by putting the ball joints under load. To load ball joints, the vehicle must be hoisted—

1. Under the frame if the spring or torsion bar is on the lower control arm (Figure 1, included herein);

2. Under lower control arm, close to ball joint, if spring or torsion bar is on upper control arm (Figure 2, included herein); and

3. From the underside of axle (Figure 3, included herein) if the vehicle is equipped with king pins or Twin I-Beams with ball joints ([Figure 17] **Figure 10**, included herein).

(B) Inspect **front and rear** wheel bearings by grasping the tire—**top and bottom—/ by both top and bottom, and [rock] rocking** it in and out. To verify that any looseness detected is in the wheel bearings, notice the movement between the brake drum or disc and the backing plate or splash shield.

(E) Inspect condition of all upper and lower control arms, pivot shafts, pivot shaft mountings, radius arms, and all bushings.

1. Reject vehicle if:—

A. Wheel bearing looseness **in an adjustable wheel bearing** allows relative movement between drum and backing plate (disc and splash shield) **of** more than one-eighth inch (1/8") measured at the outer circumference of the tire for vehicles ten thousand pounds (10,000 lbs.) Gross Vehicle Weight Rating (GVWR) or less, or one-quarter inch (1/4") for vehicles more than ten thousand pounds (10,000 lbs.) GVWR./;

B. A wheel bearing **is broken, or** falls apart when a wheel is removed to inspect a brake **[or if the bearing is broken];**

[B./C. Front wheel movement is in excess of one-fourth inch (1/4") for wheels sixteen inches (16") or less, three-eighths inch (3/8") for wheels over sixteen inches (16") to and including eighteen inches (18") and one-half inch (1/2") for wheels over eighteen inches (18") (see Figures 3, 4, and 5, included herein). (An idler arm or king pin must meet this criteria before being rejected.);

[C./D. Excessive vertical (up and down) or lateral (side) movement is evident in any of the steering linkage sockets, tapered studs are loose in their mounting holes, any movable joints are locked, any adjusting sleeves are loose, or any joints are not secured with cotter pins or other devices;

E. A sealed wheel bearing hub assembly exceeds the **manufacturer-recommended wear specifications;**

[D./F. A control arm or radius arm is badly bent or broken, or if a pivot shaft or a pivot shaft mounting or any control arm, radius arm, pivot shaft bushing is badly worn or missing; or

[E./G. Stabilizer bar(s), links, **or** connections are badly worn, missing, loose, or broken.

(4) Ball Joints.

(B) In checking the condition of an unloaded ball joint, a ball joint gauge need not be used if the inspector is absolutely certain that the ball joint movement does not exceed the **[prescribed] manufacturing** tolerances. A vehicle will not be rejected unless the vertical (up and down) or horizontal (side-to-side) movement in the load-carrying ball joint has been accurately measured by a ball joint gauge and the measurement exceeds the **[prescribed] manufacturing** tolerances. A vehicle requiring a special tool or method to measure ball joint movement will not be rejected unless the ball joint is obviously dangerous. **[Inspector/mechanics will either contact the Motor**

Vehicle Inspection Division at the nearest troop headquarters or visit the division's website at www.mshp.state.mo.us to obtain manufacturer's specifications on ball joints.]

Acceptable ball joint tolerances are determined by the manufacturer. If the ball joint movement exceeds **[the prescribed] manufacturing** tolerances, the measured movement shall be listed with the defective part on the MVI-2 form (see 11 CSR 50-2.120).

[(C) Unless a dial indicator or a gauge of the type which screws into a grease fitting is used, it is recommended that the most accurate method of determining vertical (up and down) movement of the ball joint using a gauge which has a roller and pointer, is to remove the dust cup from the spindle and place the pointer rollers of the ball joint gauge on top of the spindle nut (Figures 6 and 7, included herein). In the event that the rollers of a particular brand gauge are too large to rest on top of the spindle nut, the rollers should then be positioned against the bottom of the spindle nut. To measure horizontal (side) movement, place rollers of gauge against tire sidewall and work wheel in and out (Figures 8 and 9, included herein).]

[(D)](C) Inspect ball joints with wear indicator, as shown in Figures [10/8 and 14/9, included herein. Wipe the grease fitting and boss free from dirt and grease. Observe if boss is flush or inside the cover surface.

[(E) Inspect ball joints without wear indicator by hoisting and unloading the ball joint as indicated in either Figure 6 or Figure 7, included herein. Position a pry bar under the front tire and wheel and with pressure sufficient only to lift the weight of the wheel assembly, move the wheel up and down and observe movement (Figures 6 and 7, included herein). Under no circumstances should there be more upward lifting force exerted than necessary to determine the actual movement of the ball joint stud within the housing. Grasp the tire and wheel assembly at the eleven (11) and five (5) o'clock positions. Work the wheel in and out to detect any looseness. Move hands to the one (1) and seven (7) o'clock positions and repeat (Figures 8 and 9, included herein).

(F) Inspect ball joints on front-wheel drive vehicles as illustrated in Figures 11, 12, 15 and 16, included herein. Inspect vehicles equipped with MacPherson Strut Suspension System as illustrated in Figure 13, included herein.]

(D) Follow **manufacturing recommendations to inspect ball joints without wear indicator.**

[(G)](E) Inspect ball joints on Twin I-Beam axles using the following procedure. Eliminate all wheel bearing play by applying the service brake. Raise the vehicle by hoisting under the I-Beam axle beneath the spring as shown in Figure [17/10, included herein. Grasp the lower edge of the tire and move the wheel in and out. While the wheel is being moved, observe the lower spindle arm and the lower part of the axle jaw. Grasp the upper edge of the tire and move the wheel in and out. While the wheel is being moved, observe the upper spindle arm and the lower part of the axle jaw. Movement of **[.031" (thirty-one thousandths inch)] thirty-one thousandths inch (.031")** or greater between the lower or upper portion of the I-Beam and ball joint indicates that a measurement should be made at the circumference of the wheel adjacent to the ball joint that exhibits movement.

[(H)](F) Reject vehicle if:—

1. The grease fitting boss on the wear indicator type ball joint is flush or inside the cover surface;

2. MacPherson Strut Suspension System has severely worn or missing thrust bearing or mounting bushings. If piston rod is bent or unit is not securely mounted to vehicle;

3. There is free play in any direction in a nonload-carrying ball joint. If vertical (up and down) movement in a load-carrying ball joint exceeds **[prescribed] manufacturing** tolerances;

[4. Horizontal (side) movement at tire sidewalls is in excess of prescribed tolerances;

5. *Twin I-Beam axle has movement greater than .031" (thirty-one thousandths inch) when measured at the outer circumference of the wheel;* or

[6.]4. Any joints are not secured with cotter pins or other devices, or if ball stud is loose in the mounting hole.

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020

Figures 1 - 10

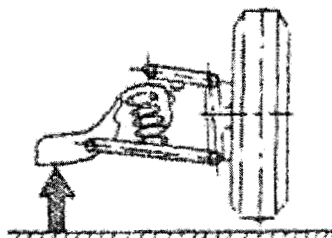


Figure 1

**Inspection for wheel bearing
adjustment, wheel play and
steering linkage with spring on
lower control arm**

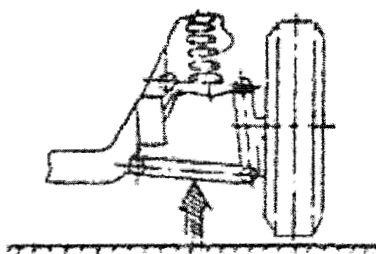


Figure 2

**Inspection for wheel bearing adjustment,
wheel play and steering linkage with
spring on upper control arm.**

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020

Figures 1 - 10

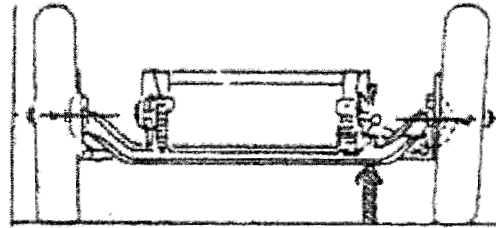


Figure 3

Inspection for wheel bearing adjustment, wheel/king pin (spindle bolt), and linkage play with front axle. (Raise until wheel clears one side at a time)

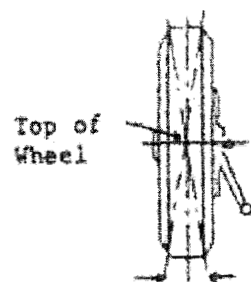


Figure 4

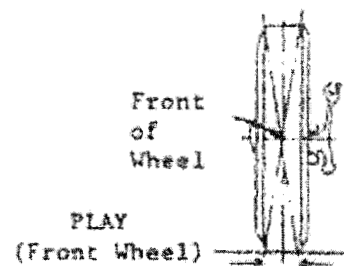


Figure 5

Wheel Play

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020

Figures 1 - 10

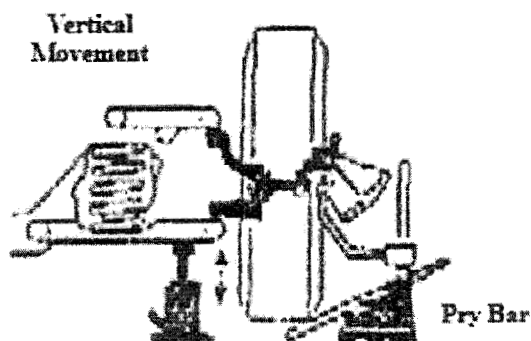


Figure 6

Inspection for ball joint wear with
spring on lower control arm.

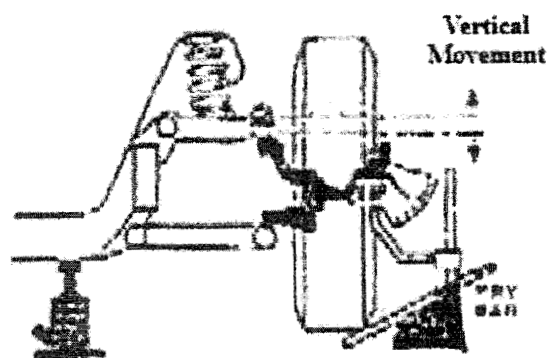


Figure 7

Inspection for ball joint wear with spring on
upper control arm

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020
Figures 1 - 10

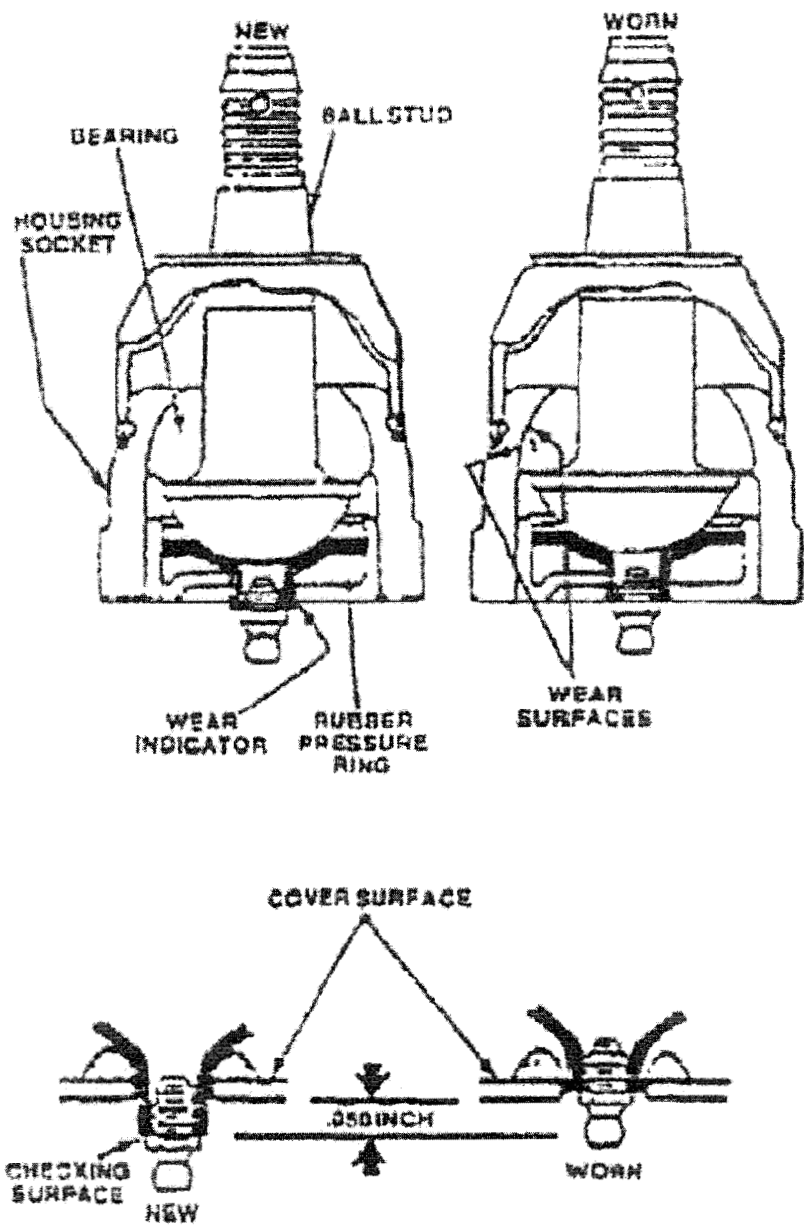


Figure 8

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020
Figures 1 - 10

Ford Motor Company
Fairmont & Zephyr (1978-1983)
Mustang & Capri (1979-Present)
Lincoln & Mark (1980-Present)
Continental (1982-1987)
Granada (1981-1982)
LTD & Marquis (1983-Present)

Procedure: These models have a new wear-indicating single lower ball joint system. Support the vehicle in normal driving position, with both ball joints loaded. Inspect using same procedure as ball joints with wear indicators.

Reject Vehicle: If checking surface is inside the ball joint cover.

Figure 9

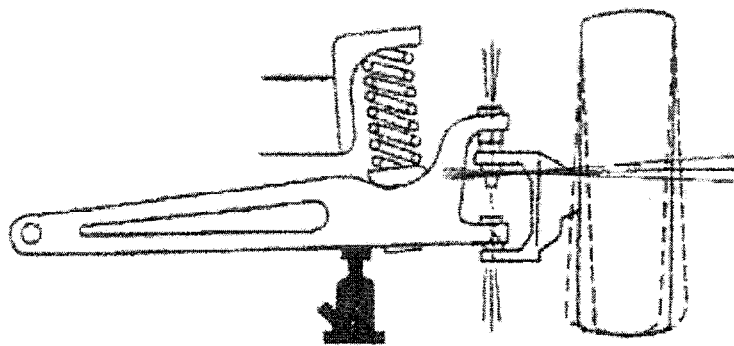


FIGURE 10

**Twin I-Beam front axle
equipped with ball joints**

AUTHORITY: section 307.360, RSMo [2000] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 27, 1969, effective April 6, 1969. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.270 Glazing (Glass). The division is removing subsection (3)(E) and amending subsections (5)(D)–(H).

PURPOSE: This amendment updates inspection and rejection criteria for the safety inspection of windshields in motor vehicles.

(3) Types of Damage or Defect.

[(E) Stone nicks or chips: Small chips dislodged from the glass.]

(5) Reject vehicle if[:]
—

(D) The windshield has any [distortion, or] cracks exceeding three inches (3") in length, within the driver's vision area;

(E) The windshield has any unrepaired star breaks, bull's-eyes, or half moons[, stone nicks, or stone chips] within the driver's vision area[, or has any star breaks, bull's-eyes, half moons, stone nicks, or stone chips more than two inches (2") in diameter at any area outside the driver's vision area; or];

(F) The windshield has any of the following that are more than two inches (2") in diameter at any area outside the driver's vision area: star breaks; bull's-eyes; or half moons;

(G) The windshield has any distortion; or

[(F)](H) Outright breakage, missing pieces, or any break exposing sharp edges is present at any location.

AUTHORITY: section 307.360, RSMo [2000] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver

& Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.300 Mud Flaps. The division is amending (1) and (3)(B) and (C).

PURPOSE: This amendment updates inspection and rejection criteria for the safety inspection of mud flaps.

(1) Trucks without rear fenders, which are intended to be registered for over twenty-four thousand pounds (24,000 lbs.) must be equipped with mud flaps for the rear wheels. Mud flaps must be wide enough to cover the full tread width of the tires. Mud flaps must be installed so that they extend from the underside of the vehicle body in a vertical plane behind the wheels to within eight inches (8") of the ground, **except that mud flaps on dump trucks must be installed so that they extend from the underside of the vehicle body in a vertical plane behind the wheels to within twelve inches (12") of the ground.** [they] Mud flaps must be sufficiently rigid to provide adequate protection when the vehicle is in motion.

(3) Reject vehicle if[:]
—

(B) Flap is not wide enough to cover the full tread width of the tire(s); [or]

(C) Flap is not in a vertical plane extending to within twelve inches (12") of the ground for dump trucks; or

[(C)](D) Flap is not in a vertical plane extending to within eight inches (8") of the ground for all other vehicles that require mud flaps.

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.310 Seat Belts. The division is amending subsections

(4)(C)-(G) of the rule.

PURPOSE: This amendment updates inspection and rejection criteria for the safety inspection of seat belts.

(4) Reject vehicle if[:]-

(A) [Not equipped, if required, with two (2) sets of seat belts in front seat] Any front seat is not equipped with a required seatbelt, equivalent to those installed by the manufacturer;

(B) Front seat is covered so as to prohibit the use of required belts;

(C) The seat in the driver's position is not capable of working in conjunction with a properly adjusted and fastened seat belt;

(D) The seat in the driver's position is not securely attached to the vehicle;

(E) The seat in the driver's position cannot maintain a stable position;

[(C)](F) A belt, buckle, bracket or motor is inoperative which prohibits designed function; or

[(D)](G) Belt webbing is frayed, split or torn.

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection

PROPOSED RESCISSION

11 CSR 50-2.340 Off-Highway Use Vehicles (ATV-OHV). This rule provided instructions and guidelines for the completion of inspections of all-terrain vehicles (ATV) and off-highway vehicles (OHV).

PURPOSE: This rule is being rescinded due to the absence of statute that authorizes the safety inspection of vehicles not designed for operation on public roadways.

AUTHORITY: section 307.360, RSMo 2000. Original rule filed Nov. 9, 1971, effective Nov. 19, 1971. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Oct. 30, 2020.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Public Safety, Missouri State Highway Patrol, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 25—Motor Vehicle Financial Responsibility

PROPOSED AMENDMENT

12 CSR 10-25.150 Financial Responsibility Sampling. The department is amending sections (1)-(3), (5)-(6), and removing section (7).

PURPOSE: This proposed amendment is necessary to conform to changes made in section 303.026, RSMo.

(1) A licensed insurance company, as referred to in section 303.026, RSMo, shall include any insurance company which has been issued a certificate of authority by the Missouri Department of Commerce and Insurance and writes private passenger automobile liability insurance.

(2) All licensed insurance companies, upon request by the director of revenue, shall provide the full name, date of birth, drivers license or Social Security number, and address of the named insured; the make, year, and the vehicle identification number as shown on the company's record of each insured motor vehicle; the policy number, effective date of the policy, and the National Association of Insurance Commissioners (NAIC) identification number. [By the seventh day of each month, s/]Such information shall be electronically submitted on all active liability policies for [the previous] a given month by the seventh day of each following month. At such time as the director has a computer system capable of making real-time inquiries or receiving real-time electronic reporting of the policy information reported pursuant to this section, all license insurance companies shall be required to provide all active liability policies in real-time.

(3) Policy information electronically reported pursuant to section (2) of this rule shall be reported only on active liability policies written for vehicles that are principally garaged in the state of Missouri.

(5) As used in this rule, the term "private passenger automobile liability insurance" shall have the same meaning as the term "private automobile insurance" as defined and used in section 374.450, RSMo, and 20 CSR 600-3.100, except that the term shall be limited to liability insurance. Private passenger automobile liability insurance shall also include liability insurance policies issued on motorcycles, autocycles, and motortricycles.

(6) For purposes of electronically reporting insurance information pursuant to section 303.026, RSMo, electronic reporting shall be defined as reporting in a manner by which the data is exchanged between the insurance company and the director of revenue through use of the department's computer system without requiring the director to manually enter the information through human intervention. [An electronic format shall include, but not be limited to, online, Internet E-mail, tape, and disk.]

[(7) Insurers with a statistically insignificant number of policies in force shall be exempt from the requirement to electronically report the information described in section (2) of this rule. For purposes of section 303.026, RSMo, insurers with a statistically insignificant number of policies in force

shall be defined as any licensed insurance company which has fewer than one hundred (100) active liability policies. Those companies that are exempt from electronic reporting and do not report electronically shall report the information required by section (2) of this rule to the director of revenue using a written format as specified by the director.]

AUTHORITY: section 303.290, RSMo [1994] **2016**. Original rule filed Aug. 21, 2000, effective Feb. 28, 2001. Amended: Filed Oct. 28, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Administration Division, 301 W High Street, Room 218, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions**

PROPOSED AMENDMENT

12 CSR 10-41.010 Annual Adjusted Rate of Interest. The Director of Revenue proposes to amend section (1) to reflect the interest to be charged on unpaid, delinquent taxes.

PURPOSE: This proposed amendment establishes the annual adjusted rate of interest to be implemented and applied on taxes remaining unpaid during 2021.

(1) Pursuant to section 32.065, RSMo, the director of revenue upon official notice of the average predominant prime rate quoted by commercial banks to large businesses, as determined and reported by the Board of Governors of the Federal Reserve System in the Reserve Statistical Release H.15(519) for the month of September of each year has set by administrative order the annual adjusted rate of interest to be paid on unpaid amounts of taxes during the succeeding calendar year as follows:

Calendar Year	Rate of Interest on Unpaid Amounts of Taxes
1995	12%
1996	9%
1997	8%
1998	9%
1999	8%
2000	8%
2001	10%
2002	6%
2003	5%
2004	4%
2005	5%
2006	7%
2007	8%
2008	8%

2009	5%
2010	3%
2011	3%
2012	3%
2013	3%
2014	3%
2015	3%
2016	3%
2017	4%
2018	4%
2019	5%
2020	5%
2021	3%

AUTHORITY: section 32.065, RSMo 2016. Emergency rule filed Oct. 13, 1982, effective Oct. 23, 1982, expired Feb. 19, 1983. Original rule filed Nov. 5, 1982, effective Feb. 11, 1983. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 19, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 19, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Administration Division, 301 W High Street, Room 218, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Counties	<i>This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. The 2021 interest rate imposed on delinquent taxes is less than that imposed in 2020.</i>
Cities	
Special Taxing Districts	

III. WORKSHEET

The proposed amendment establishes the rate of interest for 2021 at three percent (3%), which is less than the rate in 2020

This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate. Because the 2021 interest rate imposed on delinquent taxes is less than the rate imposed in 2020, the interest rate will be lower on each \$100 of delinquent taxes to public entities.

Interest on Delinquent Taxes Paid to Department of Revenue

	Current Rule 5.00%	Proposed Amendment 3.00%
Example:		
Past due tax amount	\$100.00	\$100.00
Interest Amount (%)	\$5.00	\$3.00
Total Amount Due	\$105.00	\$103.00

IV. ASSUMPTIONS

Pursuant to Section 32.065, RSMo, the Director of Revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year, as set by the Board of Governors of the Federal Reserve, rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2020 was three point two five percent (3.25%). The actual bank prime loan rate noted by the Federal Reserve in 2019 was five point two five percent (5.25%).

**FISCAL NOTE
PRIVATE COST****I. RULE NUMBER**

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
Any taxpayer with delinquent tax.	Any taxpayer with delinquent tax.	<i>This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. The 2021 interest rate imposed on delinquent taxes is less than that imposed in 2020. The actual number of affected taxpayers is unknown.</i>

III. WORKSHEET

The proposed amendment establishes the rate of interest for 2021 at three percent (3%), which is less than the rate in 2020.

This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. Because the 2021 interest rate imposed on delinquent taxes is less than the rate imposed in 2020, the interest rate will be lower on each \$100 of delinquent taxes to private entities. The actual number of affected taxpayers is unknown.

Interest on Delinquent Taxes Paid to Department of Revenue

	Current Rule 5.00%	Proposed Amendment 3.00%
Example:		
Past due tax amount	\$100.00	\$100.00
Interest Amount (%)	\$5.00	\$3.00
Total Amount Due	\$105.00	\$103.00

IV. ASSUMPTIONS

Pursuant to Section 32.065, RSMo, the Director of Revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year, as set by the Board of Governors of the Federal Reserve, rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2020 was three point two five percent (3.25%). The actual bank prime loan rate noted by the Federal Reserve in 2019 was five point two five percent (5.25%).

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 102—Sales/Use Tax—Taxpayers Rights

PROPOSED AMENDMENT

12 CSR 10-102.100 Bad Debts Credit or Refund. The department is amending section (1).

PURPOSE: This amendment reflects the Legislature's changing of the statute of limitations from three (3) years to ten (10) years.

(1) In general, a seller may file for a credit or refund within the *[three] ten- (10-)* year statute of limitations when sales are written off as bad debts.

AUTHORITY: section 144.270, RSMo 2016. This rule originally filed as 12 CSR 10-115.100. Original rule filed April 19, 2000, effective Oct. 30, 2000. Changed to 12 CSR 10-102.100 Dec. 31, 2000. Amended: Filed Oct. 28, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Administration Division, 301 W High Street, Room 218, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances

PROPOSED AMENDMENT

19 CSR 30-1.002 Schedules of Controlled Substances. The department is amending section (1).

PURPOSE: This proposed amendment updates the Schedules of Controlled Substances to be consistent with 21 CFR Part 1308.

(1) Schedules of Controlled Substances.

(A) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Drug Enforcement Administration (DEA) Controlled Substances Code Number set forth opposite it.

1. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- A. Acetyl-alpha-methylfentanyl
(N-(1-(1-methyl-2-phenethyl)-
4-piperidinyl)-N-phenylacetamide) 9815
- B. Acetylmethadol 9601
- C. Acetyl fentanyl (N-(1-
phenethylpiperidin-4-yl)-

- N-phenylacetamide) 9821
- D. N-(1-phenethylpiperidin-4-
yl)-N-phenylacrylamide,
its isomers, esters, ethers,
salts and salts of isomers,
esters and ethers (Other
names: acryl fentanyl,
acryloylfentanyl) 9811
- E. AH-7921(3,4-dichloro-
N-[(1-dimethylamino)
cyclohexylmethyl]
benzamide) 9551
- F. Allylprodine 9602
- G. Alphacetylmethadol (except
levoalphacetylmethadol
also known as levo-alpha
acetylmethadol levothadyl
acetate or LAAM) 9603
- H. Alphameprodine 9604
- I. Alphamethadol 9605
- J. Alpha-methylfentanyl
(N-1-(alphamethyl-betaphenyl)
ethyl-4-piperidyl)
propionanilide; 1-(1-methyl-2-
phenylethyl)-4
(N-propanilido) piperidine) 9814
- K. Alpha-methylthiofentanyl
(N-(1-methyl-2-(2-thienyl)
ethyl-4-piperidinyl)-N-
phenylpropanamide) 9832
- L. Benzethidine 9606
- M. Betacetylmethadol 9607
- N. Beta-hydroxyfentanyl
(N-(1-(2-hydroxy-2-
phenethyl)-4-piperidinyl)-
N-phenylpropanamide) 9830
- O. Beta-hydroxy-3-
methylfentanyl (other name:
N-(1-(2-hydroxy-2-phenethyl)-
3-methyl-4-piperidinyl)-N-
phenylpropanamide) 9831
- P. N-[1-[2-hydroxy-2-(thiophen-
2-yl) ethyl]piperidin-4-yl]-
N-phenylpropionamide
(Other names:
beta-hydroxythiofentanyl) 9836
- /P./Q. Betameprodine 9608
- /Q./R. Betamethadol 9609
- /R./S. Betaprodine 9611
- /S./T. Clonitazene 9612
- U. Cyclopropyl fentanyl (N-(1-
phenethylpiperidin-4-yl)-N-
phenylcyclopropanecarboxamide) 9845
- /T./V. Dextromoramide 9613
- /U./W. Diampromide 9615
- /V./X. Diethylthiambutene 9616
- /W./Y. Difenoxin 9168
- /X./Z. Dimenoxadol 9617
- /Y./AA. Dimepheptanol 9618
- /Z./BB. Dimethylthiambutene 9619
- /AA./CC. Dioxaphetyl butyrate 9621
- /BB./DD. Dipipanone 9622
- /CC./EE. Ethylmethylthiambutene 9623
- /DD./FF. Etonitazene 9624
- /EE./GG. Etoperidine 9625

[FF./HH. <i>N</i> -(4-fluorophenyl)- <i>N</i> -(1-phenethylpiperidin-4-yl)isobutyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: 4-fluoroisobutyryl fentanyl, <i>para</i> -fluoroisobutyryl fentanyl)	9824
[GG./II. <i>N</i> -(1-phenethylpiperidin-4-yl)- <i>N</i> -phenylfuran-2-carboxamide (Other names: furanyl fentanyl)	9834
[HH./JJ. Furethidine	9626
[II./KK. Hydroxypethidine	9627
[JJ./LL. Ketobemidone	9628
[KK./MM. Levomoramide	9629
[LL./NN. Levophenacymorphan	9631
OO. Methoxyacetyl fentanyl (2-methoxy- <i>N</i> -(1-phenethylpiperidin-4-yl)- <i>N</i> -phenylacetamide)	9825
[MM./PP. 3-Methylfentanyl (<i>N</i> -(3-methyl-1-(2-phenylethyl)-4-piperidyl)- <i>N</i> -phenylpropanamide), its optical and geometric isomers, salts, and salts of isomers	9813
[NN./QQ. 3-Methylthiofentanyl (<i>N</i> -(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)- <i>N</i> -phenylpropanamide)	9833
[OO./RR. Morpheridine	9632
[PP./SS. MPPP (1-methyl-4-phenyl-4-propionoxypiperidine)	9661
[QQ./TT. MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine)	(9560)
[RR./UU. Noracymethadol	9633
[SS./VV. Norlevorphanol	9634
[TT./WW. Normethadone	9635
[UU./XX. Norpipanone	9636
[VV./YY. <i>N</i> -(2-fluorophenyl)-2-methoxy- <i>N</i> -(1-phenethylpiperidin-4-yl)acetamide, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: ocfentanil)	9838
ZZ. <i>ortho</i> -Fluorofentanyl (<i>N</i> -(2-fluorophenyl)- <i>N</i> -(1-phenethylpiperidin-4-yl)propionamide); other name: 2-fluorofentanyl)	9816
AAA. <i>para</i> -Fluorobutyryl fentanyl (<i>N</i> -(4-fluorophenyl)- <i>N</i> -(1-phenethylpiperidin-4-yl)butyramide)	9823
[WW./BBB. Para-fluorofentanyl(<i>N</i> -(4-fluorophenyl)- <i>N</i> -(1-(2-phenethyl)-4-piperidinyl) propanamide)	9812
[XX./CCC. PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine)	9663
[YY./DDD. Phenadoxone	9637
[ZZ./EEE. Phenampromide	9638
[AAA./FFF. Phenomorphan	9647

[BBB./GGG. Phenoperidine	9641
[CCC./HHH. Piritramide	9642
[DDD./III. Proheptazine	9643
[EEE./JJJ. Properidine	9644
[FFF./KKK. Propiram	9649
[GGG./LLL. Racemoramide	9645
[HHH./MMM. <i>N</i> -(1-phenethylpiperidin-4-yl)- <i>N</i> -phenyltetrahydrofuran-2-carboxamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: tetrahydrofuranyl fentanyl)	9843
[III./NNN. Thiofentanyl (<i>N</i> -phenyl- <i>N</i> -(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide)	9835
[JJJ./OOO. Tilidine	9750
[KKK./PPP. Trimeperidine	9646

2. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Acetorphine	9319
B. Acetyldihydrocodeine	9051
C. Benzylmorphine	9052
D. Codeine methylbromide	9070
E. Codeine- <i>N</i> -Oxide	9053
F. Cyprenorphine	9054
G. Desomorphine	9055
H. Dihydromorphine	9145
I. Drotebanol	9335
J. Etorphine (except hydrochloride salt)	9056
K. Heroin	9200
L. Hydromorphanol	9301
M. Methyl-desorphine	9302
N. Methyl-dihydromorphine	9304
O. Morphine methylbromide	9305
P. Morphine methylsulfonate	9306
Q. Morphine- <i>N</i> -Oxide	9307
R. Myrophine	9308
S. Nicocodeine	9309
T. Nicomorphine	9312
U. Normorphine	9313
V. Pholcodine	9314
W. Thebacon	9315

3. Opiate Similar Synthetic Substances. Substances scheduled by the United States Drug Enforcement Administration as substances that share a pharmacological profile similar to fentanyl, morphine, and other synthetic opioids, unless specifically excepted or unless listed in another schedule. These substances are:—

A. Butyryl fentanyl (<i>N</i> -(1-phenethylpiperidin-4-yl)- <i>N</i> -phenylbutyramide)	9822
B. U-47700 (3,4-Dichloro- <i>N</i> -[2-(dimethylamino)cyclohexyl]- <i>N</i> -methylbenzamide)	9547

4. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation, which contains any quantity of the following hallucinogenic substances or which contains any of its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (For purposes of paragraph (1)(A)4. of this rule only, the term isomer includes the optical, position, and geometric isomers.):

A. Alpha-ethyltryptamine	7249
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Some trade or other names: etryptamine; Monase; alpha-ethyl-1*H*-indole-3-ethenamine; 3-(2-aminobutyl)indole; alpha-ET; and AET;
B. 4-bromo-2,5-dimethoxyamphetamine 7391
Some trade or other names: 4-bromo-2, 5- dimethoxy-a-methylphenethylamine; 4-bromo- 2, 5-DMA;
C. 4-bromo-2,5-dimethoxyphenethylamine 7392
D. 2,5-dimethoxyamphetamine 7396
Some trade or other names: 2,5-dimethoxyamethylphenethylamine; 2,5-DMA;
E. 2,5-dimethoxy-4-ethylamphetamine 7399
Some trade or other names: DOET
F. 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7) 7348
G. 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P) 7524
H. 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine (2C-E) 7509
I. 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine (2C-D) 7508
J. 2-(2,5-Dimethoxy-4-nitrophenyl) ethanamine (2C-N) 7521
K. 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H) 7517
L. 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C) 7519
M. 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine (2C-T-2) 7385
N. 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I) 7518
O. 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine (2C-T-4) 7532
P. 4-methoxyamphetamine 7411
Some trade or other names: 4-methoxyamethylphenethylamine; para-methoxyamphetamine; PMA;
Q. 5-methoxy-3,4-methylenedioxyamphetamine 7401
R. 4-methyl-2,5-dimethoxyamphetamine 7395
Some trade and other names: 4-methyl-2, 5- dimethoxy-a-methylphenethylamine; DOM; and STP;
S. 3,4- methylenedioxyamphetamine 7400
T. 3,4-methylenedioxy-methamphetamine (MDMA) 7405
U. 3,4-methylenedioxy-*N*-ethylamphetamine (also known as *N*-ethylalphamethyl-3,4 (methylenedioxy) phenethylamine, *N*-ethyl MDA,MDE and MDEA) 7404
V. *N*-hydroxy-3,4-methylenedioxyamphetamine (also known as *N*-hydroxyalpha-methyl-3,4 (methylenedioxy) phenethylamine and *N*-hydroxy MDA) 7402
W. 3,4,5- trimethoxyamphetamine 7390
X. 5-MeO-DMT or 5-methoxy-*N,N*-dimethyltryptamine 7431
Y. Alpha-methyltryptamine 7432
Z. Bufotenine 7433
Some trade and other names: 3-(b-Dimethylaminoethyl)- 5-hydroxy-yindole; 3-(2-dimethylaminoethyl)- 5-indolol; *N*, *N*-dimethylserotonin; 5-hydroxy-*N*, *N*-dimethyltryptamine;mappine;
AA. Diethyltryptamine 7434

Some trade and other names: *N*, *N*-Diethyltryptamine; DET;
BB. Dimethyltryptamine
Some trade or other names: DMT; 7435
CC. 5-methoxy-*N,N*-diisopropyltryptamine (other name: 5-MeODIPT) 7439
DD. Ibogaine 7260
Some trade and other names: 7-Ethyl- 6,6β,7,8,9,10,12,13-octahydro-2-methoxy-6, 9-methano-5*H*-pyrido [1',2':1,2] azepino[5,4-b] indole; Tabernanthe iboga;
EE. Lysergic acid diethylamide 7315
FF. Marihuana 7360
Some trade or other names: marijuana;
GG. Mescaline 7381
HH. Parahexyl 7374
Some trade or other names: 3-Hexyl-1- hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl- 6*H*-dibenzo[b,d]pyran; Synhexyl;
II. Peyote 7415
Meaning all parts of the plant presently classified botanically as *Lophophora williamsii* Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or extracts;
JJ. *N*-ethyl-3-piperidyl benzilate 7482
KK. *N*-methyl-3-piperidyl benzilate 7484
LL. Psilocybin 7437
MM. Psilocyn 7438
NN. Tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* (*cannabis* 7370 plant), as well as synthetic equivalents of the substances contained in the cannabis plant or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers, or both, with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:
(I) 1 cis or trans tetrahydrocannabinol and their optical isomers;
(II) 6 cis or trans tetrahydrocannabinol and their optical isomers;
(III) 3,4 cis or trans tetrahydrocannabinol and its optical isomers; and
(IV) Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered./.;
OO. Ethylamine analog of phencyclidine 7455
Some trade or other names: *N*-ethyl-1- phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, *N*-(1-phenylcyclohexyl)-ethylamine, cyclohexamine, PCE;
PP. Pyrrolidine analog of phencyclidine 7458
Some trade or other names: 1-(1-phenylcyclohexyl)- pyrrolidine PCPy, PHP;
QQ. Thiophene analog of phencyclidine 7470
Some trade or other names: 1-(1-(2-thienyl)- cyclohexyl)-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP;
RR. 1-(1-(2-thienyl)cyclohexyl) pyrrolidine 7473
Some other names: TCPy.
SS. *Salvia divinorum*
TT. Salvinorin A
UU. 3-Fluoromethcathinone 1233
VV. 4-Fluoromethcathinone 1238
WW. Mephedrone, or 4-methylmethcathinone 1248
XX. Methylenedioxypropylvalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone 7535

YY. Methylone, or 3,4-Methylenedioxy-methcathinone	7540	MMM. Butylone (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one)	7541
ZZ. Quinolin-8-yl 1-pentyl-1 <i>H</i> -indole-3-carboxylate (PB-22; QUPIC)	7222	NNN. Pentadone (Other names: α -methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one)	1246
AAA. Quinolin-8-yl 1-(5-fluoropentyl)-1 <i>H</i> -indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22)	7225	OOO. Pentylone (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one)	7542
BBB. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1 <i>H</i> -indazole-3-carboxamide (AB-FUBINACA)	7012	PPP. Naphyrone (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one)	1258
CCC. <i>N</i> -(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1 <i>H</i> -indazole-3-carboxamide (ADB-PINACA)	7035	QQQ. α -pyrrolidinobutiophenone (Other names: α -PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one)	7546
DDD. (1-pentyl-1 <i>H</i> -indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole)	7144	RRR. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1 <i>H</i> -indazole-3-carboxamide (Other names: AB-CHMINACA)	7031
EEE. [1-(5-fluoro-pentyl)-1 <i>H</i> -indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole)	7011	SSS. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1 <i>H</i> -indazole-3-carboxamide (Other names: AB-PINACA)	7023
FFF. <i>N</i> -(1-adamantyl)-1-pentyl-1 <i>H</i> -indazole-3-carboxamide (Other names: APINACA, AKB48)	7048	TTT. [1-(5-fluoropentyl)-1 <i>H</i> -indazol-3-yl](naphthalen-1-yl)methanone (Other names: THJ-2201)	7024
GGG. 2-(4-iodo-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5)	7538	UUU. <i>N</i> -(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1 <i>H</i> -indazole-3-carboxamide (Other names: MAB-CHMINACA; ADB-CHMINACA)	7032
HHH. 2-(4-chloro-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82)	7537	VVV. methyl 2-(1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB; 5F-MDMB-PINACA)	7034
III. 2-(4-bromo-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36)	7536	WWW. methyl 2-(1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F-AMB)	7033
JJJ. 4-methyl- <i>N</i> -ethylcathinone (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one)	1249	XXX. <i>N</i> -(adamantan-1-yl)-1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamide (Other names: 5F-APINACA, 5F-AKB48)	7049
KKK. 4-methyl- α -pyrrolidinopropiophenone, (Other names: 4-MePPP; MePPP; 4-methyl- α -pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one)	7498	YYY. <i>N</i> -(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1 <i>H</i> -indazole-3-carboxamide (Other names: ADB-FUBINACA)	7010
LLL. α -pyrrolidinopentiophenone (Other names: α -PVP; α -pyrrolidinovalerophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one)	7545		

ZZZ. methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate
(Other names:
MDMB-CHMICA,
MMB-CHMINACA) **7042**

AAAA. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
(Other names:
MDMB-FUBINACA) **7020**

BBBB. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate
(Other names:
FUB-AMB, MMB-FUBINACA, AMB-FUBINACA) **(7021)**

[UU.]CCCC. Synthetic cannabinoids: Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(I) Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:

- (a) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole **7201**
- (b) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole
- (c) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole
- (d) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole **7118**
- (e) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole **7019**
- (f) JWH-073, or 1-butyl-3-(1-naphthoyl)indole **7173**
- (g) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole **7081**
- (h) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole
- (i) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole **7122**
- (j) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole
- (k) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole **7200**
- (l) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole
- (m) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole **7398**

(II) Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(III) Any compound structurally derived from 1-(1-naph-

thylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(IV) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (a) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole
- (b) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole **7203**
- (c) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole **6250**
- (d) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole
- (e) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole **7008**

(V) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

(a) CP 47,497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, where side chain n=5, and homologues where side chain n=4,6, or 7; **7297, 7298**

(VI) Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (a) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole **7694**
- (b) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (SR-19 and RCS-4) **7104**

(VII) CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy]-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

(VIII) HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

(IX) HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

(X) Dimethylheptylpyran, or DMHP.

5. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- A. Gamma-hydroxybutyric acid and other names GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutonic acid; sodium oxybate; sodium oxybutyrate; **2010**
- B. Mecloqualone **2572**
- C. Methaqualone **2565**

6. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation

which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Aminorex 1585
Some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine;

B. *N*-benzylpiperazine (some other names: BZP, 1-benzylpiperzaine) 7493

C. Cathinone (Some trade or other names: 2-amino-1-phenyl-1-propanone, alphaaminopropiophenone, 2-aminopropiophenone and norephedrone) 1235

D. Fenethylamine 1503

[E. 3-Fluoromethcathinone 1233

F. 4-Fluoromethcathinone 1238

G. Mephedrone, or 4-methylmethcathinone 1248]

[H./E. Methcathinone 1237

Some trade or other names: 2-(methylamino)- propiophenone; alpha-(methylamino) propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-*N*-methylaminopropiophenone; monomethylpropion; ephedrone; *N*-methylcathinone; methylcathinine; AL-464; AL-422; AL-463 and URI 432;

[I./F. 4-methoxymethcathinone 1590
[J./G. cis-4-methylaminorex (cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine)

[K. Methylenedioxypropylvalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone 7535

L. Methylone, or 3,4-Methylenedioxymethcathinone 7540]

[M./H. 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP

[N./I. N-ethylamphetamine 1475

[O./J. N,N-dimethylamphetamine 1480

(some other names: *N,N*-alpha-trimethylbenzeneethanamine; *N,N*-alphatrimethylphenethylamine)

[P. Quinolin-8-yl 1-pentyl-1Hindole-3-carboxylate (PB-22; QUPIC) 7222

Q. Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22) 7225

R. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1Hindazole-3-carboxamide (AB-FUBINACA) 7012

S. N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA) 7035]

7. A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture, or preparation which contains any quantity of the following substances:

[A. (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric

isomers, salts, and salts of isomers (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole) 7144

B. [1-(5-fluoro-pentyl)-1Hindol-3-yl](2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole) 7011

C. N-(1-adamantyl)-1-pentyl-1Hindazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomer (Other names: APINACA, AKB48) 7048

D. 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimb-5) 7538

E. 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimb-82) 7537

F. 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimb-36) 7536

G. 4-methyl-N-ethylcathinone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one) 1249

H. 4-methyl-alpha-pyrrolidinopropiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-MePPP; MePPP; 4-methyl-alpha-pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)propan-1-one) 7498

I. alphapyrrolidinopentiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: alpha-PVP; alpha-pyrrolidinovaleophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one) 7545

- J. Butylone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one) 7541
- K. Pentedrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: α -methylaminovaleophenone; 2-(methylamino)-1-phenylpentan-1-one) 1246
- L. Pentylone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one) 7542
- M. Naphyrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one) 1258
- N. α -pyrrolidinobutiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: α -PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one) 7546
- O. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: AB-CHMINACA) 7031
- P. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: AB-PINACA) 7023
- Q. [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: THJ-2201) 7024
- R. N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: beta-hydroxythiofentanyl) 9836]
- [S.]A. N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: acetyl fentanyl) 9821
- [T. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MAB-CHMINACA; ADB-CHMINACA) 7032
- U. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-ADB; 5F-MDMB-PINACA) (7034)
- V. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-AMB) (7033)
- W. N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-APINACA, 5F-AKB48) (7049)
- X. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: ADB-FUBINACA) (7010)
- Y. methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: MDMB-CHMICA, MMB-CHMINACA) (7042)
- Z. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: MDMB-FUBINACA) (7020)
- AA. N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: orthofluorofentanyl, 2-fluorofentanyl) (9816)

BB. 2-methoxy-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: methoxyacetyl fentanyl) (9825)

CC. methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: FUB-AMB, MMB-FUBINACA, AMB-FUBINACA) (7021)

DD. *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopropanecarboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: cyclopropyl fentanyl) (9845)]

EE./JB. *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: valeryl fentanyl) [(9804)]9840

FF. *N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: para-fluorobutyryl fentanyl) (9823)]

GG./JC. *N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: para-methoxybutyryl fentanyl) (9837)

HH./JD. *N*-(4-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: para-chloroisobutyryl fentanyl) (9826)

II./JE. *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylisobutyramide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: isobutyryl fentanyl) (9827)

JJ./JF. *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopentanecarboxamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: cyclopentyl fentanyl) (9847)

KK./JG. Fentanyl-related substances, their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. 9850

(I) Fentanyl-related substance means any substance not

otherwise listed under another Administration Controlled Substance Code Number, and for which no exemption or approval is in effect under section 505 of the Federal Food, Drug, and Cosmetic Act 21 U.S.C. 355, that is structurally related to fentanyl by one (1) or more of the following modifications:

(a) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(b) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(c) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(d) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(e) Replacement of the *N*-propionyl group by another acyl group.

LL./JH. Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: NM2201; CBL2201) (7221)

MM./JI. *N*-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 5F-AB-PINACA) (7025)

NN./JJ. 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-CN-CUMYLBUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CNBINACA; SGT-78) (7089)

OO./JK. methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MMB-CHMICA, AMB-CHMICA) (7044)

PP./JL. 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-*b*]pyridine-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 5F-CUMYL-P7AICA) (7085)

QQ./JM. *N*-Ethylpentylone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: ephylone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one) (7543)

- N. ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: 5F-EDMB-PINACA) 7036
- O. methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: 5F-MDMB-PICA) 7041
- P. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial names: FUB-AKB48; FUB-APINACA; AKB48 N-(4-FLUOROBENZYL)) 7047
- Q. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial names: 5F-CUMYL-PINACA; SGT-25) 7083
- R. (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: FUB-144) 7014
- S. N-Ethylhexedrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other name: 2-(ethylamino)-1-phenylhexan-1-one) 7246
- T. *alpha*-Pyrrolidinohexanophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: *alpha*-PHP; *alpha*-pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one) 7544
- U. 4-Methyl-*alpha*-ethylaminopentiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one) 7245
- V. 4'-Methyl-*alpha*-pyrrolidinohexiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MPPH; 4'-methyl-*alpha*-pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one) 7446
- W. *alpha*-Pyrrolidinoheptaphenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one) 7548
- X. 4'-Chloro-*alpha*-pyrrolidinovalerophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-chloro-*alpha*-PVP; 4'-chloro-*alpha*-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one) 7443
- Y. N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: isotonitazene; N,N-diethyl-2-[[4-(1-methylethoxy)

phenyl]methyl]- 5-nitro-1H-benzimidazole-1- ethanamine) 9614

8. Khat, to include all parts of the plant presently classified botanically as *catha edulis*, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed, or extracts. 7032

(B) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.

1. Substances, vegetable origin, or chemical synthesis. Unless specifically excepted or unless listed in another schedule, Schedule II shall include any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

A. Opium and opiate; and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeferine, naloxegol, naloxone, and naltrexone and their respective salts, but including the following:

(I) Raw opium	9600
(II) Opium extracts	9610
(III) Opium fluid	9620
(IV) Powdered opium	9639
(V) Granulated opium	9640
(VI) Tincture of opium	9630
(VII) Codeine	9050
(VIII) Dihydroetorphine	9334
(IX) Ethylmorphine	9190
(X) Etorphine hydrochloride	9059
(XI) Hydrocodone	9193
(XII) Hydromorphone	9150
(XIII) Metopon	9260
(XIV) Morphine	9300
(XV) Oripavine	9330
(XVI) Oxycodone	9143
(XVII) Oxymorphone	9652
(XVIII) Thebaine	9333

B. Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subparagraph (1)(B)1.A. of this rule shall be included in Schedule II, except that these substances shall not include the isoquinoline alkaloids of opium;

C. Opium poppy and poppy straw 9650

D. Coca leaves (9040) and any salt, compound, derivative, or preparation of coca leaves (including cocaine (9041) and ecgonine (9180) and their salts, isomers, derivatives, and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include:

(I) Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; or
(II) Ioflupane;

E. Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy) 9670

2. Opiates. Unless specifically excepted or unless in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan, and levopropoxyphene excepted:

A. Alfentanil	9737
B. Alphaprodine	9010

C. Anileridine	9020
D. Bezitramide	9800
E. Bulk Dextropropoxyphene (Non-dosage Forms)	9273
F. Carfentanil	9743
G. Dihydrocodeine	9120
H. Diphenoxylate	9170
I. Fentanyl	9801
J. Isomethadone	9226
K. Levo-alphaacetylmethadol	[9220/
Some other names: levo-alphaacetylmethadol, levomethadyl acetate, LAAM	9648
L. Levomethorphan	9210
M. Levorphanol	9220
N. Metazocine	9240
O. Methadone	9250
P. Methadone-Intermediate, 4-cyano-2-dimethylamino- 4,4-diphenyl butane	9254
Q. Moramide-Intermediate, 2- methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid	9802
R. Pethidine (Meperidine)	9230
S. Pethidine-Intermediate-A, 4- cyano-1-methyl-4- phenylpiperidine	9232
T. Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4- carboxylate	9233
U. Pethidine-Intermediate-C, 1- methyl-4-phenylpiperidine- 4-carboxylic acid	9234
V. Phenazocine	9715
W. Piminodine	9730
X. Racemethorphan	9732
Y. Racemorphan	9733
Z. Remifentanil	9739
AA. Sufentanil	9740
BB. Tapentadol	9780
CC. Thiafentanil	9729
3. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:	
A. Amphetamine, its salts, optical isomers, and salts of its optical isomers	1100
B. Lisdexamfetamine, its salts, isomers, and salts of its isomers	1205
C. Methamphetamine, its salts, isomers, and salts of its isomers	1105
D. Phenmetrazine and its salts	1631
E. Methylphenidate	1724
4. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:	
A. Amobarbital	2125
B. Glutethimide	2550
C. Pentobarbital	2270
D. Phencyclidine	7471
E. Secobarbital	2315

5. Hallucinogenic substances:	
A. Nabilone	7379
Another name for nabilone: (±)trans-3-(1, 1- dimethylheptyl)-6, 6a,7,8,10,10a-hexahydro- 1-hydroxy-6, 6-dimethyl-9H-dibenzo(b,d) pyran-9-one.	
B. Dronabinol [(-)-delta-9- <i>trans</i> tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the United States Food and Drug Administration.	(7365)
6. Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:	
A. Immediate precursor to amphetamine and methampheta- mine:	
(I) Phenylacetone	8501
Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;	
B. Immediate precursors to phencyclidine (PCP):	
(I) 1-phenylcyclohexylamine	7460
(II) 1-piperidinocyclohexane carbonitrile (PCC)	8603
C. Immediate precursor to fentanyl:	
(I) 4-anilino- <i>N</i> -phenethyl-4- piperidine (ANPP)	8333
(II) <i>N</i> -phenyl- <i>N</i> -(piperidin -4-yl)propionamide (norfentanyl)	8366
7. Any material, compound, mixture, or preparation which con- tains any quantity of the following alkyl nitrites:	
A. Amyl nitrite;	
B. Butyl nitrite.	
(C) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.	
1. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:	
A. Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under <i>[section]</i> 21 CFR 308.32 and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances	1405
B. Benzphetamine	1228
C. Chlorphentermine	1645
D. Clortermine	1647
E. Phendimetrazine	1615
2. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:	
A. Any compound, mixture, or preparation containing:/—	
(I) Amobarbital	2126
(II) Secobarbital	2316
(III) Pentobarbital	2271
or any salt thereof and one (1) or more other active medicinal ingre- dients which are not listed in any schedule;	
B. Any suppository dosage form containing:/—	
(I) Amobarbital	2126
(II) Secobarbital	2316
(III) Pentobarbital	2271
or any salt of any of these drugs and approved by the Food and Drug	

Administration for marketing only as a suppository;

C. Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof 2100

D. Chlorhexadol 2510

E. Embutramide 2020

F. Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomer, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act; 2012

G. Ketamine, its salts, isomer, and salts of isomers (some other names for ketamine: (±)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone) 7285

H. Lysergic acid 7300

I. Lysergic acid amide 7310

J. Methypylon 2575

K. Perampanel, and its salts, isomers, and salts of isomers 2261

L. Sulfondiethylmethane 2600

M. Sulfonethylmethane 2605

N. Sulfonmethane 2610

O. Tiletamine and zolazepam or any salt thereof 7295

Some trade or other names for a tiletaminezolazepam combination product: Telazol. Some trade or other names for tiletamine: 2- (ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6-8-dihydro-1,3,8- trimethylpyrazolo-(3,4-e) (1,4)-diazepin- 7(1H)-one, flupyrzapon.

3. Nalorphine 9400

4. Narcotics drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than [1.8 grams] one and eight tenths grams (1.8gm) of codeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium 9803

B. Not more than [1.8 grams] one and eight tenths grams (1.8gm) of codeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9804

C. Not more than [1.8 grams] one and eight tenths grams (1.8gm) of dihydrocodeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9807

D. Not more than three hundred milligrams (300 mg) of ethylmorphine per one hundred milliliters (100 mL) or not more than fifteen milligrams (15 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9808

E. Not more than five hundred milligrams (500 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 gm) or not more than twenty-five milligrams (25 mg) per dosage unit, with one (1) or more active nonnarcotic ingredients in recognized therapeutic amounts 9809

F. Not more than fifty milligrams (50 mg) of morphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm), with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9810

5. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts, as set forth below:

A. Buprenorphine 9064

6. Anabolic steroids. Unless specially excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation. DEA has assigned code 4000 for all anabolic steroids. Anabolic steroids. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration. If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this [subdivision] paragraph. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, esters, and ethers:

A. 3β,17β-dihydroxy-5α-androstane

B. 3α,17β-dihydroxy-5α-androstane

C. 5α-androstan-3,17-dione

D. 1-androstenediol (3β,17β-dihydroxy-5α-androst-1-ene)

E. 1-androstenediol (3α,17β-dihydroxy-5α-androst-1-ene)

F. 4-androstenediol (3β,17β-dihydroxy-androst-4-ene)

G. 5-androstenediol (3β,17β-dihydroxy-androst-5-ene)

H. 1-androstenedione ([5α]-androst-1-en-3,17-dione)

I. 4-androstenedione (androst-4-en-3,17-dione)

J. 5-androstenedione (androst-5-en-3,17-dione)

K. Bolasterone (7α,17α-dimethyl-17β-hydroxyandrost-4-en-3-one)

L. Boldenone (17β-hydroxyandrost-1, 4,-diene-3-one)

M. Boldione (androsta-1,4-diene-3,17-dione)

N. Calusterone (7β,17α-dimethyl-17β-hydroxyandrost-4-en-3-one)

O. Clostebol (4-chloro-17β-hydroxyandrost-4-en-3-one)

P. Dehydrochloromethyltestosterone (4-chloro-17β-hydroxy-17α-methyl-androst-1, 4-dien-3-one)

Q. Desoxymethyltestosterone (17α-methyl-5α-androst-2-en-17β-ol) (a.k.a. madol)

[R. Dihydrotestosterone (4-Dihydrotestosterone) (s) 4-dihydrotestosterone (17β-hydroxy-androstan-3-one)]

R. Δ1-dihydrotestosterone (a.k.a.'1-testosterone') (17β-hydroxy-5α-androst-1-en-3-one)

S. 4-dihydrotestosterone (17β-hydroxy-androstan-3-one)

[S./T. Drostanolone (17β-hydroxy-2α-methyl-5α-androstan-3-one)

[T./U. Ethylestrenol (17α-ethyl-17β-hydroxyestr-4-ene)

[U./V. Fluoxymesterone (9-fluoro-17α-methyl-11β,17β-dihydroxyandrost-4-en-3-one)

[V./W. Formebolone (Formebolone) (2-formyl-17α-methyl-11α,17β-dihydroxyandrost-1,4-dien-3-one)

[W./X. Furazabol (17α-methyl-17β-hydroxyandrostano[2,3-c]-furazan)

[X./Y. 13β-ethyl-17β-hydroxygon-4-en-3-one

[Y./Z. 4-hydroxytestosterone (4,17β-dihydroxy-androst-4-en-3-one)

[Z./JAA. 4-hydroxy-19-nortestosterone (4,17β-dihydroxy-estr-4-en-3-one)

[AA./BB. Mestanolone (17α-methyl-17β-hydroxy-5α-androstan-3-one)

[BB./CC. Mesterolone (1α-methyl-17β-hydroxy-[5α]-androstan-3-one)

[CC./DD. Methandienone (17α-methyl-17β-hydroxyandrost-1,4-dien-3-one)

[DD./EE. Methandriol (17α-methyl-3β,17β-dihydroxyandrost-5-ene)

/EE./FF. Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-one)

/FF./GG. Methenolone (1-methyl-17 β -hydroxy-5 α -andro-1-en-3-one)

/GG./HH. 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-

/HH./II. 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-

/II./JJ. 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene

/JJ./KK. 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one)

/KK./LL. Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one)

/LL./MM. Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)

/MM./NN. Methyltestosterone (17 α -methyl-17-hydroxyandrost-4-en-3-one)

/NN./OO. Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one)

/OO./PP. 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -andro-1-en-3-one) (a.k.a. 17 α -methyl-1-testosterone)

/PP./QQ. Nandrolone (17 β -hydroxyestr-4-ene-3-one)

/QQ./RR. 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene)

/RR./SS. 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene)

/SS./TT. 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione)

/TT./UU. 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene)

/UU./VV. 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene)

/VV./WW. 19-nor-4-androstenedione (estr-4-en-3,17-dione)

/WW./XX. 19-nor-5-androstenedione (estr-5-en-3,17-dione)

/XX./YY. Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one)

/YY./ZZ. Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one)

/ZZ./AAA. Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one)

/AAA./BBB. Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one)

/BBB./CCC. Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one)

/CCC./DDD. Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one)

/DDD./EEE. Oxymetholone (17 α -methyl-2-hydroxymethyl-ene-17 β -hydroxy-[5 α]-androstan-3-one)

/EEE./FFF. Prostanazol (17 β -hydroxy-5 α -androstan-3-one-2-c]pyrazole)

/FFF./GGG. Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)(17 β -hydroxy-5 α -andro-1-en-3-one))

/GGG./HHH. Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole)

/HHH./III. Stenbolone (17 β -hydroxy-2-methyl-[5 α]-andro-1-en-3-one)

/III./JJJ. Testolactone(13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone)

/JJJ./KKK. Testosterone(17 β -hydroxyandrost-4-en-3-one);

/KKK./LLL. Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one)

/LLL./MMM. Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one)

/MMM./NNN. Any salt, ester, or isomer of a drug or substance described or listed in this subparagraph, if that salt, ester, or isomer promotes muscle growth except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration.

7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product 7369

(Some other names for dronabinol: (6aRtrans)- 6a,7,8,10a-tetrahydro-6.6.9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol, or (-) -delta-9-(trans)-tetrahydrocannabinol.)

(D) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

1. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than one milligram (1 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit 9167

B. Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) 9278

C. 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers, and salts of these isomers (including tramadol) 9752

D. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(I) Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

(II) Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm); or

(III) Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm).

2. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Alfaxalone 2731

B. Alprazolam 2882

C. Barbitol 2145

D. Brexanolone 2400

/D./E. Bromazepam 2748

/E./F. Camazepam 2749

/F./G. Carisoprodol 8192

/G./H. Chloral betaine 2460

/H./I. Chloral hydrate 2465

/I./J. Chlordiazepoxide 2744

/J./K. Clobazam 2751

/K./L. Clonazepam 2737

/L./M. Clorazepate 2768

/M./N. Clotiazepam 2752

/N./O. Cloxazolam 2753

/O./P. Delorazepam 2754

/P./Q. Diazepam 2765

/Q./R. Dichloralphenazone 2467

/R./S. Estazolam 2756

/S./T. Ethchlorvynol 2540

/T./U. Ethinamate 2545

/U./V. Ethyl loflazepate 2758

/V./W. Fludiazepam 2759

/W./X. Flunitrazepam	2763
/X./Y. Flurazepam	2767
/Y./Z. Fospropofol	2138
/Z./AA. Halazepam	2762
/AA./BB. Haloxazolam	2771
/BB./CC. Ketazolam	2772
DD. Lemborexant	2245
/CC./EE. Loprazolam	2773
/DD./FF. Lorazepam	2885
/EE./GG. Lormetazepam	2774
/FF./HH. Mebutamate	2800
/GG./II. Medazepam	2836
/HH./JJ. Meprobamate	2820
/II./KK. Methohexital	2264
/JJ./LL. Methylphenobarbital (Mephobarbital)	2250
/KK./MM. Midazolam	2884
/LL./NN. Nimetazepam	2837
/MM./OO. Nitrazepam	2834
/NN./PP. Nordiazepam	2838
/OO./QQ. Oxazepam	2835
/PP./RR. Oxazolam	2839
/QQ./SS. Paraldehyde	2585
/RR./TT. Petrichloral	2591
/SS./UU. Phenobarbital	2285
/TT./VV. Pinazepam	2883
/UU./WW. Prazepam	2764
/VV./XX. Quazepam	2881
/WW./YY. Suvorexant	2223
/XX./ZZ. Temazepam	2925
/YY./AAA. Tetrazepam	2886
/ZZ./BBB. Triazolam	2887
/AAA./CCC. Zaleplon	2781
/BBB./DDD. Zolpidem	2783
/CCC./EEE. Zopiclone	2784

3. Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Fenfluramine 1670

4. Lorcaserin. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Lorcaserin 1625

5. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Cathine ((+)- norpseudoephedrine)	1230
B. Diethylpropion	1610
C. Fencamfamin	1760
D. Fenproporex	1575
E. Mazindol	1605
F. Mefenorex	1580
G. Modafinil	1680
H. Pemoline (including organometallic complexes and chelates thereof)	1530
I. Phentermine	1640
J. Pipradrol	1750
K. Sibutramine	1675
L. Solriamfetol (2-amino-3- phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester))	1650

/L./M. SPA (-)-1-dimethylamino-
1,2-diphenylethane 1635

6. Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:

A. Pentazocine	9709
B. Butorphanol (including its optical isomers)	9720
C. Eluxadoline (5-[[[(2S)-2- amino-3-[4-aminocarbonyl)- 2,6-dimethylphenyl]-1- oxopropyl] [(1S)-1-(4-phenyl- 1 H-imidazol-2- yl)ethyl]amino]methyl]-2- methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers	9725

7. Ephedrine. Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers, and salts of isomers:

A. Ephedrine or its salts, optical isomers, or salts of optical isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers, or salts of optical isomers and therapeutically insignificant quantities of another active medicinal ingredient.

(E) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this subsection.

1. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as follows, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

A. Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

B. Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

C. Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

D. Not more than two and five-tenths milligrams (2.5 mg) of diphenoxylate and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit;

E. Not more than one hundred milligrams (100 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 gm); and

F. Not more than five-tenths milligram (0.5 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit.

2. Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including its salts, isomers, and salts of isomers:

A. Pyrovalerone 1485

3. Any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound, mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical isomers, or salts of optical isomers if the drug preparations are starch-based solid dose forms, if such preparations are sold over the

counter without a prescription. The following drug preparations containing ephedrine and pseudoephedrine are not scheduled controlled substances:

- A. Drug preparations in liquid form;
- B. Drug preparations that require a prescription in order to be dispensed.

4. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

- A. Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamate ethyl ester] 2779
- B. Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] 2746
- C. Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] 2782
- D. Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (also referred to as BRV; UCB-34714; Briviact) 2710
- E. Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl)-benzamide] 2790
- F. Cenobamate ([1(R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl] carbamate; 2H-tetrazole-2-ethanol, alpha-(2-chlorophenyl)-, carbamate (ester), (alphaR)-; carbamic acid (R)-(+)-1-(2-chlorophenyl)-2-(2H-tetrazol-2-yl)ethyl ester) 2720

[5. Approved cannabidiol drugs.

A. A drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than one tenth percent (0.1%) (w/w) residual tetrahydro cannabinoids 7367]

AUTHORITY: sections 195.015 and 195.195, RSMo Supp. [2017] 2020. Material found in this rule previously filed as 19 CSR 30-1.010. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 30, 2020, effective Nov. 16, 2020, expires May 14, 2021. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102 or via email at BNDD@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED AMENDMENT

19 CSR 30-1.026 Separate Registrations. The department is amending subsection (3)(A).

PURPOSE: This amendment changes requirements related to controlled substance registrations for separate locations of emergency medical services vehicles to comply with the *Protecting Patient Access to Emergency Medications Act*, which amended 21 U.S.C. section 823(j), effective November 17, 2017.

(3) Separate Locations. A separate registration is required for each principal place of business or professional practice at one (1) general physical location where controlled substances are manufactured, distributed, or dispensed by a person.

(A) For purposes of registration only, the following locations shall be deemed not to be places where controlled substances are manufactured, distributed, or dispensed:

1. A warehouse where controlled substances are stored by or on behalf of a registered person, unless these substances are distributed directly from the warehouse to registrants other than the registered person or to persons not required to register;

2. An office used by agents of a registrant where sales of controlled substances are solicited, made, or supervised but which neither contains these substances (other than substances for display purposes or lawful distribution as samples only) nor serves as a distribution point for filling sales orders;

3. An office used by a practitioner (who is registered at another location) where controlled substances are prescribed but neither administered nor otherwise dispensed as a regular part of the professional practice of the practitioner at the office and where no supplies of controlled substances are maintained;

4. A location on the immediate or contiguous property of a hospital, provided that the location is owned and operated by the hospital and controlled substances are not dispensed for use away from the location;

5. A separate location from a registered pre-hospital emergency medical service location where an emergency vehicle is housed that does not have a permanent location of operation [and which rotates between locations at least every 30 days for operational reasons other than controlled substance registration]; and

6. A pre-hospital emergency medical service located outside the state of Missouri that renders assistance to a pre-hospital emergency medical service located in the state of Missouri under a mutual aid contract in the case of an emergency, major catastrophe, or other unforeseen event that jeopardizes the ability of the local Missouri pre-hospital emergency medical service to promptly respond.

AUTHORITY: section 195.195, RSMo [1994] Supp. 2020. Original rule filed April 14, 2000, effective Nov. 30, 2000. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102-0570, by faxing 573-526-2569, or via email at BNDD@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED AMENDMENT

19 CSR 30-1.064 Partial Filling of Controlled Substance Prescriptions. The department is amending subsection (2)(E).

PURPOSE: This amendment allows Schedule II drugs to be partially filled for up to sixty (60) days after the date the original prescription was issued.

(2) The partial filling of a prescription for controlled substances listed in Schedules II, III, IV, or V is permissible, provided that[/-]—

(E) No dispensing occurs[/-]—

1. For controlled substances listed in Schedule II, after [thirty (30)] **sixty (60)** days after the date on which the original prescription was issued; **and**

2. For controlled substances listed in Schedules III, IV, and V after six (6) months after the date on which the original prescription was issued[/-];

AUTHORITY: sections 195.080 and 195.195, RSMo Supp. [2018] 2020. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) annually.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102, or via email at BNDD@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED AMENDMENT

19 CSR 30-1.074 Dispensing Without a Prescription. The department is amending subsections (3)(B), (3)(C), and (3)(L).

PURPOSE: This amendment updates the requirements for the sale, dispensation, or distribution of methamphetamine precursor products to be consistent with section 195.417, RSMo.

(3) Methamphetamine precursor products may be sold, dispensed, distributed, or otherwise provided only as follows:

(B) Dispensers of methamphetamine precursor products shall exercise reasonable care in assuring that the purchaser has not exceeded the three and six-tenths- (3.6-)/- gram limit per day or the [nine (9)] **seven and two-tenths- (7.2-)** gram limit per thirty- (30-)/- day period. **Within any twelve- (12-) month period, no person shall sell, dispense, or otherwise provide the same individual, and no**

person shall purchase, receive, or otherwise acquire more than forty-three and two-tenths- (43.2-) grams, without regard to the number of transactions;

(C) Dispensers shall utilize the real-time electronic pseudoephedrine tracking system established and maintained by the Missouri Department of Health and Senior Services (DHSS). **No prescription shall be required for the sale or dispensing of these drug products; however, prescribers and patients may voluntarily choose to use a prescription by voluntary choice when deemed appropriate by the prescriber in the course of his or her professional practice;**

(L) Denials of Sales and Dispensings.

1. Except as provided in subsection (D) of this section, if an individual attempts to purchase a methamphetamine precursor product in violation of the three and six-tenths (3.6) gram per day or [nine (9)] **seven and two-tenths (7.2)** gram per month quantity restrictions or age restriction established by sections 195.017 and 195.417, RSMo, the dispenser shall refuse to make the sale. The purchaser must be at least eighteen (18) years of age.

2. Sales of methamphetamine precursor products shall be denied to purchasers who are not able to produce a valid government issued identification card with the required information displayed on it.

3. In the event that the dispenser perceives that refusal of the purchase may place him or her in imminent physical harm, then the dispenser may use the database safety override function to proceed with the transaction, provided that—

A. When jeopardy is no longer perceived, the dispenser shall immediately contact local law enforcement to report the purchase; and

B. The dispenser shall document in their manual log, the circumstance, the individual contacted at the local law enforcement agency, and the date and time of that contact;

AUTHORITY: section[s] 195.017 [and 195.417, RSMo Supp. 2010], RSMo Supp. 2020, and sections 195.030, 195.050, [and] 195.195, and 195.417, RSMo [2000] 2016. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) annually.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102 or via email at BNDD@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2010—Missouri State Board of Accountancy
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2010-2.041 Eligibility Requirements for the CPA Examination. The board is amending sections (1) and (2), deleting sections (3), (4), (5), and (6), adding new sections (3), (4), and (5), and renumbering as necessary.

PURPOSE: This rule is being amended to implement the provisions of House Bill 2046 which became effective August 28, 2020.

(1) The applicant must comply with section [326.280.1(1), (2) and (3)] 326.277, RSMo [and either—].

[(A) If he or she applied for the initial examination prior to June 30, 1999, hold a baccalaureate or higher degree conferred by an accredited college or university recognized by the board with a concentration or major in accounting or substantially the equivalent of a concentration in accounting as described in subsection (2)(A) or (B) of this rule; or

(B) If he or she applied for the initial examination on or after June 30, 1999, have at least one hundred fifty (150) semester hours of college education including a baccalaureate or higher degree conferred by an accredited college or university recognized by the board with a concentration or major in accounting or substantially the equivalent of a concentration in accounting as described in subsection (2)(C) of this rule.]

(2) The equivalent of a concentration in accounting shall be determined in the following manner:

[(A) For candidates who sat for the examination for the first time prior to May 1996, thirty-six (36) semester hours or fifty-four (54) quarter hours of accounting and other related courses are required. At least eighteen (18) semester hours or twenty-seven (27) quarter hours shall be accounting courses with at least one (1) course in auditing. The remaining eighteen (18) semester hours or twenty-seven (27) quarter hours shall be in accounting or other areas of business administration such as business law, tax, statistics, economics, finance, marketing, management, information technology and business communications. These courses shall be taken at an accredited college or university recognized by the board.

(B) For candidates who sat for the examination for the first time during or after May 1996, and whose initial applications for the examination were postmarked prior to June 30, 1999, the requirements in subsection (2)(A) shall continue in effect except that principles of accounting (or introductory accounting) courses will not be credited toward the required number of hours of accounting courses, but may be credited toward the other related courses.]

[(C)](A) For candidates whose applications for the initial examination [were postmarked on or after June 30, 1999] are or were received prior to June 30, 2021, the concentration or major in accounting, or the equivalent of a concentration in accounting shall be sixty (60) semester hours [or ninety (90) quarter hours] of accounting and other related courses. At least thirty-three (33) semester hours [or fifty (50) quarter hours] shall be accounting courses with at least one (1) course in auditing and at least eighteen (18) semester hours [or twenty-seven (27) quarter hours] of accounting courses taken at the upper division level. For the purposes of this rule “upper division level” courses shall mean courses taken beyond the elementary level. The remaining twenty-seven (27) semester hours [or forty (40) quarter hours] shall be in accounting or other areas of business administration such as business law, statistics, economics, finance, marketing, management, information technology and business communications. These courses shall be taken at an accredited college or university recognized by the board.

(B) For candidates whose applications for initial examination are received on or after June 30, 2021, the concentration in accounting shall include a total of at least forty-eight (48) semester hours, including a minimum of twenty-four (24) semester hours of accounting and twenty-four (24) semester hours of business courses. These courses shall be taken at an accredited college or university recognized by the board.

1. Examples of accounting courses include:

- A. Accounting information systems;
- B. Accounting research and analysis;
- C. Attestation engagements;
- D. Data analytics, data interrogation techniques, and/or digital acumen in an accounting context, whether taken in the business school or in another college or university program, such as the engineering, computer science, or math programs;
- E. Ethics (accounting course);
- F. Financial accounting and reporting for business organizations;
- G. Financial accounting and reporting for government and not-for-profit entities;
- H. Financial statement analysis;
- I. Financial statement auditing;
- J. Formal independent study;
- K. Formal internships;
- L. Fraud examination;
- M. Internal controls and risk assessment;
- N. Managerial or cost accounting;
- O. Mergers and acquisitions;
- P. Tax and financial planning;
- Q. Taxation;
- R. Tax Research and analysis; or
- S. Other accounting-related content areas included in the Uniform CPA Examination Blueprints or as may be approved by the board.

2. Examples of business courses include:

- A. Business communications;
- B. Business law;
- C. Data analytics, data interrogation techniques, and/or digital acumen, whether taken in the business school or in another college or university program, such as the engineering, computer science, or math programs;
- D. Economics;
- E. Ethics (business course);
- F. Finance;
- G. Formal independent study;
- H. Formal internships;
- I. Information systems or technology;
- J. Management;
- K. Marketing;
- L. Quantitative methods;
- M. Statistics; or
- N. Other business-related content areas included in the Uniform CPA Examination Blueprints or as may be approved by the board.

[(3) An applicant for the examination whose initial application to Missouri is postmarked on or after June 30, 1999, who meets the qualifications in section 326.280.1(1), (2), and (3), RSMo—

(A) Who sat for the examination in another jurisdiction prior to June 30, 1999, or whose original application for the examination was postmarked to the other jurisdiction prior to June 30, 1999, if he or she meets the standard in subsections (1)(A) and (2)(A) or (B) of this rule, then examination credit will be granted in accordance with the provisions of section 326.280, RSMo, and rule 20 CSR 2010-2.140 just as though the candidate had been approved and had sat in Missouri and he or she will be approved to sit as a Missouri candidate; or

(B) Whose original application for the examination was postmarked to another jurisdiction on or after June 30, 1999, or, if the postmark date is not available, who first sat for the examination in the other jurisdiction after June 30, 1999, if he or she meets the standard in subsections (1)(B) and (2)(C) of this rule, then examination credit will be granted in accordance with the provisions of section 326.280,

RSMo, and rule 20 CSR 2010-2.140 just as though the candidate had been approved and had sat in Missouri and he or she will be approved to sit as a Missouri candidate.

(4) Once an applicant has qualified under sections (1) and (2) of this rule and been approved by the board as a Missouri candidate for the examination, and as long as he or she continues to meet the requirement of subsection 326.280.1(3), RSMo and has not committed an act or acts which would be cause to deny an application under section 326.310, RSMo, he or she will be considered qualified for subsequent examinations.

(5) An applicant who satisfies the requirements of section 326.280.1(1), (2) and (3), RSMo shall be eligible to take the examination if the applicant reasonably expects to satisfy the educational requirements of this rule within sixty (60) days after the examination. No license shall be issued or credit for the examination issued unless the educational requirements are, in fact, met within the sixty (60)-day period.

(6) Any university or college accredited by the Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools or Western Association of Schools and Colleges is recognized by the board and will satisfy the requirements of section 326.280.1, RSMo and this rule. The board may recognize as accredited, any university or college accepted by two (2) or more states for the purpose of allowing a candidate to sit for the certified public accountant examination.]

(3) Any United States universities or colleges accredited by one (1) of the following six (6) regional accreditors are recognized by the board to satisfy the accreditation requirement of section 326.277.2, RSMo:

- (A) Higher Learning Commission;**
- (B) Middle States Commission on Higher Education;**
- (C) New England Commission on Higher Education;**
- (D) Northwest Commission on Colleges and Universities;**
- (E) Southern Association of Colleges and Schools Commission on Colleges; or**
- (F) WASC Senior College and University Commission.**

(4) The board may also recognize specialized accreditations which meet or exceed the accreditation standards of the Association to Advance Collegiate Schools of Business-International (AACSB) or Association of Collegiate Business Schools and Programs (ACBSP).

(A) Applicants presenting transcripts from regionally accredited institutions that have AACSB or ACBSP business and supplemental accounting accreditation with at least twenty-four (24) semester credit hours in accounting and at least twenty-four (24) semester credit hours in business will be deemed to meet the requirements of paragraphs (2)(B)1. and 2. of this rule.

(B) Applicants presenting transcripts from regionally accredited institutions that only have AACSB or ACBSP business accreditation with at least twenty-four (24) semester credit hours in business will be deemed to meet the requirements of paragraph (2)(B)2. of this rule and shall demonstrate they have twenty-four (24) semester credit hours in accounting by providing documentation as the board may specify, including examples of courses in paragraph (2)(B)1. of this rule.

(C) Applicants presenting transcripts from regionally accredited institutions that do not have AACSB or ACBSP accreditation

shall demonstrate the applicant has at least twenty-four (24) semester credit hours in accounting and at least twenty-four (24) semester credit hours in business by providing documentation as the board may specify, including examples of courses in paragraphs (2)(B)1. and 2. of this rule.

(5) Quarter credit hours may be converted to semester credit hours by multiplying quarter credit hours by two-thirds. For example, thirty-six (36) quarter hours are equal to twenty-four (24) semester credit hours.

[(7)](6) The board[, or its designee,] may in its discretion allow any applicant to take the examination; however, approval to take the exam shall not create any presumption that the applicant is fit for licensure nor otherwise prohibit the board from exercising its discretion in considering an application for licensure as set forth in section 326.310, RSMo.

[(8)](7) The provisions of this rule are declared severable. If any provision of this rule is held invalid by a court of competent jurisdiction, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction to be invalid.

AUTHORITY: section[s] 326.262, **RSMo 2016, and sections 326.277, 326.280.1., and 326.310, RSMo Supp. [2009] 2020.** This rule originally filed as 4 CSR 10-2.041. Original rule filed Sept. 13, 1978, effective Jan. 13, 1979. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Accountancy, PO Box 613, Jefferson City, MO 65102, by facsimile at 573-751-0012, or via email at mosba@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2010—Missouri State Board of Accountancy
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2010-2.061 Requirements for an Initial License to Practice. The board is amending the purpose, section (1), adding sections (2) and (3), and renumbering as necessary.

PURPOSE: This rule is being amended to implement the provisions of House Bill 2046 which became effective August 28, 2020.

PURPOSE: This rule sets forth the type of **education and work experience** that is required for a certified public accountant to obtain or receive an initial license to practice in Missouri.

(1) Prior to June 30, 2021, /A/applicants for initial licensure shall meet the education requirements outlined in 20 CSR 2010-2.041 and successfully complete the examination requirements as outlined in 20 CSR 2010-2.150. *[Commencing on January 1, 2012, if the*

time elapsed since the applicant has successfully completed the examination requirement exceeds five (5) years, the applicant must complete forty (40) hours of continuing professional education (CPE), including two (2) hours in the area of ethics and—

(A) That person submits evidence to the board that he or she has completed forty (40) hours of CPE during the twelve (12) months prior to making application for licensure; or

(B) That person agrees to obtain the required forty (40) hours of CPE within sixty (60) days of applying for licensure.]

(2) On and after June 30, 2021, applicants for initial licensure shall demonstrate completion of at least one hundred fifty (150) semester credit hours of college education and earned a baccalaureate degree and/or graduate degree from an accredited college or university approved by the board. The one hundred fifty (150) semester credit hours shall include the one hundred twenty (120) hours required by section 327.277, RSMo, and rule 20 CSR 2010-2.041. Additionally, of the remaining thirty (30) hours required for licensure, an applicant must complete a minimum additional twelve (12) semester credit hours in accounting and business, with six (6) semester credit hours in accounting and six (6) semester credit hours in business in undergraduate and/or graduate level courses.

(A) Of the at least one hundred fifty (150) semester credit hours completed, a maximum of nine (9) semester credit hours may be from formal, supervised internships or independent study in the areas of accounting or business in undergraduate and/or graduate level courses.

(3) If the time elapsed since the applicant has successfully completed the examination requirement exceeds five (5) years prior to application for initial licensure, the applicant must complete forty (40) hours of continuing professional education (CPE), including two (2) hours in the area of ethics during the twelve (12) months prior to making application for licensure. The applicant shall provide documentation of CPE to the board as the board may request.

[(2)](4) The board shall require as a condition for licensure, the verification of experience as provided for by section 326.280.1(6), RSMo. A licensee from this or another state shall verify on a form provided by the board—

(A) The applicant has one (1) year of accounting experience consisting of full-time employment that is no less than one (1) year and no fewer than two thousand (2,000) hours or in the case of part-time employment, experience that extends over a period of no less than one (1) year and no more than three (3) years and includes no fewer than two thousand (2,000) hours of performance of services as described in 326.280.1(6), RSMo; and

(B) The applicant has acceptable experience, which may include employment in industry, government, academia, or public practice. The board may look at such factors as the complexity and diversity of the work as set forth in the experience verification section of the initial application form.

[(3)](5) In accordance with 326.289.4(3), RSMo, any individual licensee who was initially licensed on or after August 28, 2001, and who is responsible for supervising attest services or signs or authorizes someone to sign attestation reports on behalf of a firm, shall have an additional year of experience, which includes attest services, consisting of full-time employment that is no less than one (1) year and no fewer than two thousand (2,000) hours or in the case of part-time employment, experience that extends over a period of no less than one (1) year and no more than three (3) years and includes no fewer than two thousand (2,000) hours of performance of services. The experience shall be under the supervision of a licensee from this

or another state. The experience shall consist of either—

(A) Practicing public accounting in a certified public accounting firm; or

(B) Practicing as an auditor, employed by a local, state, or federal government entity, devoted principally to the comprehensive application of generally accepted accounting principles or generally accepted government auditing standards to diversified field examinations.

[(4)](6) In accordance with 326.289.4(4), RSMo, any licensee who was initially licensed on or after August 28, 2001, and who is responsible for supervising or signs or authorizes someone to sign review reports shall have a year of experience consisting of full-time employment that is no less than one (1) year and no fewer than two thousand (2,000) hours or in the case of part-time employment, experience that extends over a period of no less than one (1) year and no more than three (3) years and includes no fewer than two thousand (2,000) hours of performance of services as described in section 326.280.1(6), RSMo. Acceptable experience shall include employment in industry, government, academia, or public practice.

[(5)](7) Any licensee who has direct access and knowledge of an applicant's experience and who has been requested by an applicant to submit to the board evidence of the applicant's experience and has refused to do so shall, upon request by the board, explain the basis for such refusal in a written submission. The board may require any licensee who has verified the applicant's experience to substantiate the information in a written submission. Any applicant may be required to appear before the board to supplement or verify evidence of experience. The board may inspect applicant-provided documentation relating to the applicant's claimed experience.

[(6)](8) Satisfactory completion of a written examination in professional ethics acceptable to the board shall be required for issuance of a Missouri license as a certified public accountant (CPA).

(A) Verification that the applicant has received a score of ninety percent (90%) on the examination of the correspondence course on professional ethics for CPAs of the American Institute of Certified Public Accountants shall satisfy this requirement.

(B) Applicants applying for a license as a CPA under section 326.280, RSMo, can satisfy this requirement by submitting verification that they have passed a written examination on professional ethics approved by the Missouri State Board of Accountancy where they hold a valid license.

[(7)](9) The provisions of this rule are declared severable. If any provision of this rule is held invalid by a court of competent jurisdiction, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction to be invalid.

AUTHORITY: section[s] 326.262, RSMo 2016, and sections 326.277 and 326.280, RSMo Supp. [2012] 2020. This rule originally filed as 4 CSR 10-2.061. Original rule filed Sept. 13, 1978, effective Jan. 13, 1979. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Accountancy, PO Box 613, Jefferson City, MO 65102, by facsimile at 573-751-0012, or via email at mosba@pr.mo.gov. To be considered, comments must be received within thirty (30) days after

publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2010—Missouri State Board of Accountancy
Chapter 4—Continuing Education Requirements**

PROPOSED AMENDMENT

20 CSR 2010-4.020 Qualifying Programs. The board is amending section (1).

PURPOSE: This rule is being amended to reflect the current edition of the *Statement on Standards for Continuing Professional Education (CPE) Programs*.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Programs Qualifying for Continuing Professional Education (CPE) Credit.

(B) The Statement on Standards for Continuing Professional Education (CPE) Programs, revised [August 2016] **December 2019** and effective [September 1, 2016] **December 31, 2019**, published by the NASBA and AICPA are incorporated in this rule by reference. A copy of the Statement on Standards for Continuing Professional Education (CPE) Programs may be obtained online at www.nasbaregistry.org, or by contacting NASBA, 150 Fourth Avenue N., Suite 700, Nashville, TN, 37219 or AICPA, 1211 Avenue of the Americas, New York, NY 10036. This rule does not incorporate any later amendments or additions to the standards.

(C) Subject Areas. The board will accept programs meeting the standards set forth in the Statement on Standards for Continuing Professional Education (CPE) Programs ([September 1, 2016] **December 31, 2019**) and as set forth in this rule. The board will accept the following sources of CPE as defined in the Statement on Standards:

1. Group programs;
2. Self-study programs;
3. Blended learning programs;
4. Nano-learning programs;
5. Instructor/developer of CPE programs;
6. Technical reviewer of CPE programs or work on technical committees;
7. Independent study through a CPE program;
8. College or university courses in accounting or accounting-related field of study; except basic or introductory accounting courses or CPA exam preparation/review courses; and
9. Authorship of published articles, books, and other publications relevant to maintaining or improving professional competence. Authorship hours claimed for CPE shall not exceed two (2) hours in any calendar year.

AUTHORITY: section 326.271, RSMo 2016, and section 326.277, RSMo Supp. 2020. This rule originally filed as 4 CSR 10-4.020. Original rule filed Nov. 5, 1984, effective Feb. 11, 1985. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agen-

cies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Accountancy, PO Box 613, Jefferson City, MO 65102, by facsimile at 573-751-0012, or via email at mosba@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2010—Missouri State Board of Accountancy
Chapter 4—Continuing Education Requirements**

PROPOSED AMENDMENT

20 CSR 2010-4.031 Continuing Professional Education (CPE) Documentation. The board is amending section (1).

PURPOSE: This amendment clarifies acceptable documentation for qualifying CPE.

(1) Continuing Professional Education (CPE) Records.

(B) Acceptable documentation [requirements are set forth in the *Statement on Standards for Continuing Professional Education (CPE) Programs* in rule 20 CSR 2010-4.020].

1. Licensees shall demonstrate compliance in meeting their CPE requirements by maintaining and providing certificates of completion from the American Institute of Certified Public Accountants (AICPA), a state society of CPAs, or a registered National Association of State Boards of Accountancy (NASBA) CPE Program Sponsor. Program Sponsors may be verified at the NASBA website: <https://nasba.org>.

2. Licensees seeking credit for CPE from any non-registered NASBA program, other than the AICPA or a state society of CPAs, shall maintain and provide the following documentation:

- A. Program materials;
- B. Agenda with dates, times, and locations;
- C. Sign-in sheets/records of attendance;
- D. Number of CPE credits earned by participants;
- E. Name, contact information, and qualifications of the developer;
- F. Name, contact information, and qualifications of the reviewer;
- G. Results of program evaluations; and
- H. Other information or documentation as the board may request.

(C) Responsibility for documenting the acceptability of the program and the validity of the credits rests with the applicant or license holder who [should] shall retain such documentation for a [period] minimum of five (5) calendar years from the end of the year in which the learning activities were completed.

(D) The board may verify the CPE reported by applicants for licensure and licensees. Licensees who do not provide the board with either a completed certificate from the AICPA, a state society of CPAs, or a registered NASBA CPE program sponsor, or the documentation required for a non-registered NASBA program, will not receive CPE credit. In cases where the board determines that the requirement is not met, the board may grant an additional period of time in which the deficiencies may be cured.

AUTHORITY: section 326.271, RSMo 2016, and section 326.310,

RSMo Supp. [2019] 2020. This rule originally filed as 4 CSR 10-4.031. Original rule filed April 5, 2004, effective July 30, 2004. Moved to 20 CSR 2010-4.031, effective Aug. 28, 2006. Amended: Filed Feb. 23, 2010, effective Aug. 30, 2010. Amended: Filed May 20, 2019, effective Dec. 30, 2019. Amended: Filed Oct. 30, 2020.

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Accountancy, PO Box 613, Jefferson City, MO 65102, by facsimile at 573-751-0012, or via email at mosba@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2063—Behavior Analyst Advisory Board
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2063-2.010 Renewal of License, Inactive License, and Reactivation of License. The board is amending section (1) and paragraphs (2)(A)1 and (3)(A)1.

PURPOSE: *This amendment adds information regarding the collection of workforce data.*

(1) Renewal of License.

(A) The required renewal information, renewal fee, and information related to the behavior analyst or assistant behavior analyst's practice and demographics for the purpose of collecting workforce data shall be submitted prior to the expiration date of the license.

[(A)](B) Failure of a licensee to receive the notice *[and application]* to renew the license shall not excuse the licensee from the requirement of section 337.320, RSMo, to renew the license.

[(B)](C) Any licensee who fails to renew the license within the sixty- (60-)/- day period set forth in section 337.320.3., RSMo, shall not perform any act for which a license is required.

[(C)](D) Any licensed behavior analyst who fails to renew his/her license by October 31 of each odd-numbered year or any assistant behavior analyst who fails to renew his/her license by November 30 of each odd-numbered year and, within two (2) years of the registration renewal date, wishes to restore his/her license, shall—

1. Submit a completed application;
2. Pay the renewal fee and delinquent fee; and
3. Submit proof of active certification and fulfillment of all requirements for renewal and recertification with the certifying entity as defined pursuant to 20 CSR 2063-1.010.

(2) Inactive License.

(A) Licensees who request to be classified as inactive pursuant to section 337.320.7., RSMo, shall—

1. Submit a completed application on a form provided by the *[committee] board*; and
2. Pay the inactive renewal fee as provided in 20 CSR 2063-1.015.

(3) Reactivation of License.

(A) Individuals who request to reactivate the inactive license shall—

1. Submit a complete application on a form provided by the *[committee] board*;
2. Pay the reactivation fee as provided in 20 CSR 2063-1.015; and
3. Submit proof of current certification from a certifying body as established in 20 CSR 2063-1.010.

AUTHORITY: *sections 324.001, 337.030, and 337.320, RSMo Supp. [2010] 2020. Original rule filed Nov. 30, 2010, effective May 30, 2011. Amended: Filed Oct. 27, 2020.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Behavior Analyst Advisory Board, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-0661, or via email at scop@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2165—Board of Examiners for
Hearing Instrument Specialists
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2165-1.010 General Organization. The board is amending sections (1), (3), (4), and (5), deleting section (6), renumbering as necessary and amending newly renumbered section (7).

PURPOSE: *This amendment removes outdated and duplicative requirements.*

(1) The purpose of the board is to regulate the practice of fitting hearing instruments involving public health, safety, and welfare of this state; to protect the inhabitants of this state from harm due to dangerous, dishonest, incompetent, or unlawful practice of fitting hearing instruments *[and to implement and sustain a system of examination and regulation of hearing instrument specialists in training and licensed hearing instrument specialists in this state]*.

(3) Each year the board shall elect a chairperson and vice-chairperson. It shall be the chairperson's duty to preside at all meetings and if the chairperson is unable to attend any meeting, the vice-chairperson *[shall] will* preside. The chairperson exercises general supervision of the affairs of the board and works with the division on coordinating board affairs.

(4) The director of the Division of Professional Registration or a designated representative *[shall be]* is responsible for keeping the minutes of board proceedings and **will** perform other duties as requested by the board.

(5) All meetings shall be posted according to section 610.020, RSMo, and information may be obtained by contacting the office **at**, Pl./Ol. J Box 1335, Jefferson City, MO 65102-1335/. *The telephone number is*, **behis@pr.mo.gov**, (573) 751-0240, **or** with the

TDD number (800) 735-2966.

[(6) Board meetings will generally consist of reviewing applications, interviewing applicants, investigating complaints and inquiries, determining disciplinary action regarding a licensed hearing instrument specialist or hearing instrument specialist in training, making recommendations to the division concerning the conduct and management of board affairs and any other board matters.

(A) Annually, the board may review the administrative rules.

(B) Each member of the board shall receive as compensation, an amount not to exceed fifty dollars (\$50) for each day devoted to the affairs of the board.]

[(7)](6) Unless otherwise provided by the statutes or regulations, all meetings of the board will be conducted according to Robert's Rules of Order.

[(8)](7) Members of the public may [obtain information or make a submission to the division or board] request a meeting before the board by writing to P[O]. Box 1335, Jefferson City, MO 65102-1335 or emailing the request to behis@pr.mo.gov. [The telephone number is (573) 751-0240 with the TDD number (800) 735-2966.]

AUTHORITY: section [346.115.1(7)] **346.125**, RSMo [Supp. 1996] **2016**. This rule originally filed as 4 CSR 165-1.010. Emergency rule filed March 18, 1996, effective March 28, 1996, expired Sept. 23, 1996. Original rule filed Oct. 16, 1996, effective May 30, 1997. Moved to 20 CSR 2165-1.010, effective Aug. 28, 2006. Amended: Filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102, by facsimile transmission to (573) 526-3856, or via email at behis@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2220—State Board of Pharmacy Chapter 2—General Rules

PROPOSED AMENDMENT

20 CSR 2220-2.120 Transfer of Prescription or Medication Order Information. The Board of Pharmacy is amending section (5).

PURPOSE: This amendment would grant board licensees additional time to fulfill prescription transfer requests received from parties/entities other than the patient, provided the transfer is completed in timely manner and a pharmacist ensures no interruption in patient therapy will occur.

(5) [A pharmacy receiving a transfer request from a patient or another pharmacy must complete the transfer within one

(1) business day of receiving the request.] A prescription or medication order must be transferred within one (1) business day of receiving a transfer request from a patient. All other transfer requests must be completed in a timely manner, provided licensees/permit holders shall ensure no interruption in patient therapy.

AUTHORITY: sections 338.100 and 338.280, RSMo 2016, and section 338.140, RSMo Supp. [2019] **2020**. This rule originally filed as 4 CSR 220-2.120. Original rule filed April 16, 1985, effective Aug. 11, 1985. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 29, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this amendment in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE Division 2220—State Board of Pharmacy Chapter 5—Drug Distributor

PROPOSED AMENDMENT

20 CSR 2220-5.020 Drug Distributor Licensing Requirements. The Board of Pharmacy is amending subsection (1)(B).

PURPOSE: This amendment would waive Missouri drug distributor licensure requirements for entities shipping drugs or vaccines to treat or immunize patients during a state or federally declared disaster or emergency, or pursuant to an emergency use authorization issued by the United States Food and Drug Administration for a public health emergency.

(1) A “wholesale drug distributor” is defined in section 338.330(3), RSMo. No wholesale drug distributor with physical facilities located in the state of Missouri shall knowingly purchase or receive legend drugs and/or drug related devices from a wholesale drug distributor or pharmacy not licensed or registered by the board. Knowledge of the licensure status of a drug distributor or pharmacy includes, but is not limited to, actual or constructive knowledge. Knowledge of the license status of a drug distributor or pharmacy shall also include, but not be limited to, notification from the board by mail or electronic transmission.

(B) Licensure and/or registration as a wholesale drug distributor is not required for activities described below—

1. The sale, purchase, transfer, or trade of a drug or an offer to sell, purchase, transfer, or trade a drug for emergency administration to an individual patient if a delay in therapy would negatively affect a patient outcome. The amount sold, purchased, transferred, or traded shall not exceed five percent (5%) of the pharmacy's total gross prescription sales or, if prescriptions are not sold, five percent (5%) of the pharmacy's total drug purchases;

2. The sale, purchase, or trade of blood and blood components intended for transfusion and any other exemptions as provided for in

Chapter 338, RSMo;

3. The sale, purchase, transfer, or trade of a drug or an offer to sell, purchase, or trade a drug by a Missouri licensed pharmacy that does not exceed five percent (5%) of the pharmacy's total gross sales. For purposes of this section, total gross sales shall be calculated based on the pharmacy's total annual prescription drug sales or, if prescriptions are not sold, five percent (5%) of the pharmacy's total drug purchases;

4. The sale, purchase, transfer, or trade of a drug or offer to sell, purchase, transfer, or trade a drug among hospitals or by a hospital to a healthcare entity under the same common control or ownership as the hospital. "Common control or ownership" means the power to direct or cause the direction of the management and policies of a person or an organization whether by ownership, stock, voting rights, contract, or otherwise. For purposes of this rule, a "hospital" shall be limited to a hospital as defined by Chapter 197, RSMo, or a hospital operated by the state;

5. The storage or distribution of drugs by a local, state, or federal facility that are received from the Strategic National Stockpile or the state stockpile for the purpose of providing those drugs in an emergency situation as authorized by a state or federal agency;

6. The sale, purchase, or transfer of a drug or vaccine received from or on behalf of a federal, state, or municipal entity for the purpose of treating or immunizing patients during a state or federally declared disaster or emergency;

7. The sale, purchase, or transfer of a drug or vaccine subject to an emergency use authorization issued by the United States Food and Drug Administration for a public health emergency;

[6.]/8. The sale, purchase, transfer, or trade of a prescription drug to alleviate a temporary shortage of a prescription drug that is in limited supply or unavailable due to delays in or interruption of supply. Drugs sold, purchased, transferred, or traded pursuant to this section shall only be sold, purchased, transferred, or traded directly from an importer or manufacturer authorized by or registered with the United States Food and Drug Administration (FDA) to import or manufacture the drug that is unavailable or in short supply. In addition, sales, purchases, transfers, or trades shall be limited to the period of shortage and to the drug that is unavailable or in limited supply. Documentation of FDA authorization or registration shall be maintained in the licensee's or recipient's records; and

[7.]/9. The sale, purchase, transfer, or trade of a drug between a Missouri licensed pharmacy and a non-resident pharmacy that is located in and licensed by another state or United States territory. The total amount of drug sold, purchased, transferred, or traded by the Missouri-licensed pharmacy pursuant to this subsection shall not exceed five percent (5%) of the pharmacy's total annual prescription drug sales. Missouri pharmacies receiving drugs pursuant to this section from a non-resident pharmacy shall maintain the following records for two (2) years from the date of sale, purchase, transfer, or trade:

A. Proof the non-resident pharmacy holds a current pharmacy license in the state or territory from which the drug is shipped or distributed; and

B. An invoice record which documents the name and address of the non-resident pharmacy, the date of sale, purchase, transfer, or trade, and the name, strength, and quantity of the drug received. The pharmacies shall also comply with all applicable controlled substance requirements.

AUTHORITY: sections [338.340] 338.335 and 338.350, RSMo [2000] 2016, and sections 338.140.1, 338.315, 338.330, 338.333, [338.335, and] 338.337, and 338.340, RSMo Supp. [2014] 2020. This rule originally filed as 4 CSR 220-5.020. Original rule filed Feb. 4, 1991, effective June 10, 1991. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 29, 2020, effective Nov. 13, 2020, expires May 11, 2021. Amended: Filed Oct. 29, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this amendment in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2235—State Committee of Psychologists Chapter 1—General Rules

PROPOSED AMENDMENT

20 CSR 2235-1.050 Renewal of License. The committee is adding new section (1), renumbering as necessary, and amending newly renumbered sections (2) and (4).

PURPOSE: This amendment mandates the collection of workforce data and establishes the obligation of licensees to provide the requested information in order to renew their licenses. The rule is also amended to the assessing of a delinquency fee for each year the license is delinquent.

(1) The required renewal information, renewal fee, and information related to the psychologist's practice and demographics for the purpose of collecting psychology workforce data shall be submitted prior to the expiration date of the license.

[(1)](2) Failure of a licensee to receive the notice [and application] to renew the license shall not excuse the licensee from the requirement of section 337.030, RSMo to renew the license.

[(2)](3) Any licensee who fails to renew the license within the sixty-(60)-[1] day period set forth in section 337.030.2., RSMo shall not perform any act for which a license is required.

[(3)](4) Any licensee who fails to renew his/her license by January 31 of each even-numbered year and, within two (2) years of the registration renewal date, wishes to restore his/her license, shall pay the delinquency fee [for each year the license is delinquent] in addition to the renewal fee.

[(4)](5) Licensees who request to be classified as inactive pursuant to section 337.030.5, RSMo, may maintain their inactive status and receive a license indicating their inactive status by paying the inactive license renewal fee as provided in 20 CSR 2235-1.020. Holders of an inactive license need not complete the continuing education requirement. However, a holder of an inactive license shall not have his/her license reactivated until he/she pays the required reactivation fee, and in addition, submits proof of having completed forty (40) continuing education hours within the two (2) years immediately prior to the date of reactivation. If a holder of an inactive license reactivates at the time of renewal, the licensee shall only be required to pay the renewal fee, and in addition, submit proof of having completed forty (40) continuing education hours within the two (2) years immediately prior to the date of reactivation.

AUTHORITY: sections 324.001, 337.030, [RSMo Supp. 2006] and 337.050, RSMo [2000] Supp. 2020. This rule originally filed as 4 CSR 235-1.050. Original rule filed Aug. 11, 1983, effective Dec. 11, 1983. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 27, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Committee of Psychologists, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-0661, or via email at scop@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2263-1.035 Fees. The committee is amending section (1).

PURPOSE: This committee is adding a verification of licensure fee.

(1) The following fees are established by the committee and are payable in the form of a cashier's check, personal check, or money order:

(K) Verification of Licensure	\$ 20.00
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AUTHORITY: sections 337.612 and 337.627, RSMo Supp. [2019] 2020. This rule originally filed as 4 CSR 263-1.035. Original rule filed Jan. 20, 1999, effective July 30, 1999. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 2, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities from five thousand two hundred dollars (\$5,200) to ten thousand four hundred dollars (\$10,400) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by fax at (573) 526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Commerce and Insurance
Division 2263 - State Committee for Social Workers
Chapter 1 - Fees
Proposed Amendment to 20 CSR 2263-1.035 - Fees

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
260 to 520	Verification (Fee @ \$20)	\$ 5,200 to \$ 10,400
	Estimated Annual Costs for the Life of the Rule	\$ 5,200 to \$ 10,400

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on inquiries the board has received in the past regarding the need for verification. The board receives on average 5 to 10 requests weekly.
2. It is anticipated that the total fiscal costs will occur beginning in FY21, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

PROPOSED AMENDMENT

22 CSR 10-2.046 PPO 750 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

(D) Four (4) Diabetes Self-Management Education visits; [and]

(E) Sterilization procedure for men[.]; and

(F) **Virtual visits offered through the vendor's telehealth tool.**

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

PROPOSED AMENDMENT

22 CSR 10-2.047 PPO 1250 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

(D) Four (4) Diabetes Self-Management Education visits; [and]

(E) Sterilization procedure for men[.]; and

(F) **Virtual visits offered through the vendor's telehealth tool.**

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amend-

ment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

PROPOSED AMENDMENT

22 CSR 10-2.053 Health Savings Account Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (3), adding section (10), and renumbering as necessary.

PURPOSE: This amendment revises the out-of-pocket maximum for individual family members and adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(3) Out-of-pocket maximum.

(A) The family out-of-pocket maximum applies when two (2) or more family members are covered. The family out-of-pocket maximum must be met before the plan begins to pay one hundred percent (100%) of all covered charges for any covered family member. Out-of-pocket maximums are per calendar year, as follows:

1. Network out-of-pocket maximum for individual—four thousand nine hundred fifty dollars (\$4,950);

2. Network out-of-pocket maximum for family—nine thousand nine hundred dollars (\$9,900). Any individual family member need only incur a maximum of [eight thousand one hundred fifty dollars (\$8,150)] **eight thousand five hundred fifty dollars (\$8,550)** before the plan begins paying one hundred percent (100%) of covered charges for that individual;

3. Non-network out-of-pocket maximum for individual—nine thousand nine hundred dollars (\$9,900); and

4. Non-network out-of-pocket maximum for family—nineteen thousand eight hundred dollars (\$19,800).

(10) Virtual visits offered through the vendor's telehealth tool are covered at one hundred percent (100%).

[[10]](11) Newborn's claims will be subject to deductible and coinsurance.

[[11]](12) Married, active employees who are MCHCP subscribers and have enrolled children may meet only one (1) family deductible and out-of-pocket maximum. Both spouses must enroll in the same medical plan option through the same carrier, and each must provide the other spouse's Social Security number (SSN) and report the other spouse as eligible for coverage when newly hired and during the open enrollment process. In the medical plan vendor and pharmacy benefit

manager system, the spouse with children enrolled will be considered the subscriber and the spouse that does not have children enrolled will be considered a dependent. If both spouses have children enrolled the spouse with the higher Social Security number (SSN) will be considered the subscriber. Failure to report an active employee spouse when newly hired and/or during open enrollment will result in a separate deductible and out-of-pocket maximum for both active employees.

[(12)](13) Each subscriber will have access to payment information of the family unit only when authorization is granted by the adult covered dependent(s).

[(13)](14) Expenses toward the deductible and out-of-pocket maximum will be transferred if the member changes non-Medicare medical plans or continues enrollment under another subscriber's non-Medicare medical plan within the same plan year.

[(14)](15) Maximum plan payment—Non-network medical claims that are not otherwise subject to a contractual discount arrangement are processed at one hundred ten percent (110%) of Medicare reimbursement for non-network professional claims and following the claims administrator's standard practice for non-network facility claims. Members may be held liable for the amount of the fee above the allowed amount.

[(15)](16) Any claim must be initially submitted within twelve (12) months following the date of service, unless otherwise specified in the network provider contract. The plan reserves the right to deny claims not timely filed. A provider initiated correction to the originally filed claim must be submitted within the timeframe agreed in the provider contract, but not to exceed three hundred sixty-five (365) days from adjudication of the originally filed claim. Any claims reprocessed as primary based on action taken by Medicare or Medicaid must be initiated within three (3) years of the claim being incurred.

[(16)](17) For a member who is an inpatient on the last calendar day of a plan year and remains an inpatient into the next plan year, the prior plan year's applicable deductible and/or coinsurance amounts will apply to the in-hospital facility and related ancillary charges until the member is discharged.

[(17)](18) Services performed in a country other than the United States may be covered if the service is included in 22 CSR 10-2.055. Emergency and urgent care services are covered as a network benefit. All other non-emergency services are covered as determined by the claims administrator. If the service is provided by a non-network provider, the member may be required to provide payment to the provider and then file a claim for reimbursement subject to timely filing limits.

[(18)](19) An active employee subscriber does not qualify for the HSA Plan if s/he is claimed as a dependent on another person's tax return or, except for the plans listed in section (20) of this rule, is covered under or enrolled in any other health plan that is not a high deductible health plan, including, but not limited to, the following types of insurance plans or programs:

(A) Medicare (unless Medicare is secondary coverage to MCHCP);

(B) TRICARE;

(C) A health care flexible spending account (FSA), with the exception of participation in the premium-only, limited-purpose health FSA, and dependent care section;

(D) Health reimbursement account (HRA); or

(E) If the member has received medical benefits from The Department of Veterans Affairs (VA) at any time during the previous three (3) months, unless the medical benefits received consist solely of disregarded coverage or preventive care.

[(19)](20) If an active employee subscriber and/or his/her depen-

dent(s) is enrolled in the HSA Plan and becomes ineligible for the HSA Plan during the plan year, the subscriber and/or his/her dependent(s) will be enrolled in the PPO 1250 Plan. The subscriber may enroll in a different non-HSA Plan within thirty-one (31) days of notice from MCHCP.

[(20)](21) A subscriber may qualify for this plan even if s/he is covered by any of the following:

- (A) Drug discount card;
- (B) Accident insurance;
- (C) Disability insurance;
- (D) Dental insurance;
- (E) Vision insurance; or
- (F) Long-term care insurance.

[(21)](22) Health Savings Account (HSA) Contributions.

(A) To receive contributions from MCHCP, the subscriber must be an active employee and HSA eligible as defined in the Internal Revenue Service Publication 969 on the date the contribution is made and open an HSA with the bank designated by MCHCP.

1. Subscribers who enroll in the HSA Plan during open enrollment who have a balance in a health care FSA on January 1 of the new plan year cannot receive an HSA contribution from MCHCP until after the health care FSA grace period ends March 15.

(B) A new employee or subscriber electing coverage due to a life event or loss of employer-sponsored coverage with an effective date after the MCHCP contribution will receive an applicable prorated contribution. Unless a subscriber is eligible for a special enrollment period, a subscriber will not be able to voluntarily change his/her plan selection.

(C) A subscriber who moves from subscriber-only coverage to another coverage level with an effective date after the MCHCP contribution will receive an applicable prorated contribution based on the increased level of coverage.

(D) If a subscriber moves from another coverage level to subscriber-only coverage, cancels all coverage, or MCHCP terminates coverage and has received an HSA contribution, MCHCP will not request a re-payment of the contribution.

(E) If both spouses are state employees covered by MCHCP and they both enroll in an HSA Plan, they must each have a separate HSA. The maximum contribution MCHCP will make for the family is six hundred dollars (\$600) regardless of the number of HSAs or the number of children covered under the HSA Plan for either parent. MCHCP will consider married state employees as one (1) family and will not make two (2) family contributions to both spouses or one (1) family contribution and one (1) individual contribution. MCHCP will make a maximum three hundred dollar (\$300) contribution to each spouse to total a maximum of six hundred dollars (\$600).

(F) The MCHCP contributions will be deposited into the subscriber's HSA as follows:

1. The January deposit will be made on the third Monday of the month, or the first working day after the third Monday if the third Monday is a holiday;

2. The April deposit will be made on the first Monday in April; and

3. Other deposits will be made on the first Monday of the month in which coverage is effective, or the first working day after the first Monday of the month coverage is effective if the first Monday is a state holiday.

Deposit	Subscriber Only	All other coverage levels
January	\$300.00	\$600.00
April (delayed contribution due to health care FSA grace period)	\$300.00	\$600.00
All others	A proration of \$300	A proration of \$600

AUTHORITY: sections 103.059 and 103.080.3., RSMo 2016. Emergency rule filed Dec. 22, 2008, effective Jan. 1, 2009, expired June 29, 2009. Original rule filed Dec. 22, 2008, effective June 30, 2009. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

PROPOSED AMENDMENT

22 CSR 10-2.089 Pharmacy Employer Group Waiver Plan for Medicare Primary Members. The Missouri Consolidated Health Care Plan is amending section (1).

PURPOSE: This amendment revises Medicare Part D coverage stage and copayment amounts.

(1) The pharmacy benefit for Medicare primary non-active members is provided through a Pharmacy Employer Group Waiver Plan (EGWP) as regulated by the Centers for Medicare and Medicaid Services herein after referred to as the Medicare Prescription Drug Plan.

(F) The Medicare Prescription Drug Plan is comprised of a Medicare Part D prescription drug plan contracted by MCHCP and some non-Part D medications that are not normally covered by a Medicare Part D prescription drug plan. The requirements for the Medicare Part D prescription drug plan are as follows:

1. The Centers for Medicare and Medicaid Services regulates the Medicare Part D prescription drug program. The Medicare Prescription Drug Plan abides by those regulations;

2. Initial Coverage Stage. Until a member's total yearly Part D prescription drug costs reach *[four thousand twenty dollars (\$4,020)]* **four thousand one hundred thirty dollars (\$4,130)**, the member will pay the following copayments:

A. Preferred Formulary Generic Drugs: thirty-one- (31-) day supply has a ten dollar (\$10) copayment; sixty- (60-) day supply has a twenty dollar (\$20) copayment; ninety- (90-) day supply at retail has a thirty dollar (\$30) copayment; and a ninety- (90-) day supply through home delivery has a twenty-five dollar (\$25) copayment;

B. Preferred Formulary Brand Drugs: thirty-one- (31-) day supply has a forty dollar (\$40) copayment; sixty- (60-) day supply has an eighty (\$80) dollar copayment; ninety- (90-) day supply at retail has a one hundred twenty (\$120) dollar copayment; and a ninety- (90-) day supply through home delivery has a one hundred (\$100) dollar copayment; and

C. Non-preferred Formulary Drugs and approved excluded drugs: thirty-one- (31-) day supply has a one hundred dollar (\$100) copayment; sixty- (60-) day supply has a two hundred dollar (\$200) copayment; ninety- (90-) day supply at retail has a three hundred dol-

lar (\$300) copayment; and a ninety- (90-) day supply through home delivery has a two hundred fifty dollar (\$250) copayment;

3. Coverage Gap Stage. After a member's total yearly Part D prescription drug costs exceed *[four thousand twenty dollars (\$4,020)]* **four thousand one hundred thirty dollars (\$4,130)** and remain below *[six thousand three hundred fifty dollars (\$6,350)]* **six thousand five hundred fifty dollars (\$6,550)**, the member will continue to pay the same cost-sharing amount as in the Initial Coverage stage until the yearly out-of-pocket Part D prescription drug costs reach *[six thousand three hundred fifty dollars (\$6,350)]* **six thousand five hundred fifty dollars (\$6,550)**;

4. Catastrophic Coverage Stage. After a member's total yearly out-of-pocket Part D prescription drug costs reach *[six thousand three hundred fifty dollars (\$6,350)]* **six thousand five hundred fifty dollars (\$6,550)**, the member will pay the greater of—

A. Five percent (5%) coinsurance or a *[three dollar and sixty cent (\$3.60)]* **three dollar and seventy cent (\$3.70)** copayment for covered generic drugs (including brand drugs treated as generics), with a maximum not to exceed the standard copayment during the Initial Coverage stage; or

B. Five percent (5%) coinsurance or an *[eight dollar and ninety-five cent (\$8.95)]* **nine dollar and twenty cent (\$9.20)** copayment for all other covered drugs, with a maximum not to exceed the standard copayment during the Initial Coverage stage; and

5. Amounts paid by the member or the plan for non-Part D prescription drugs will not count toward total Part D prescription drug costs or total Part D prescription drug out-of-pocket costs.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 30, 2013, effective Jan. 1, 2014, expired June 29, 2014. Original rule filed Oct. 30, 2013, effective June 30, 2014. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

PROPOSED AMENDMENT

22 CSR 10-3.030 Public Entity Membership Agreement and Participation Period. The Missouri Consolidated Health Care Plan is amending section (1).

PURPOSE: This amendment revises participation and contribution requirements for dental coverage.

(1) The participation agreement, these rules, and applicable provisions of law constitute the membership agreement between a public entity and the Missouri Consolidated Health Care Plan (MCHCP).

(A) By applying for coverage under MCHCP, a public entity

agrees that—

1. A public entity must make health care coverage available to all eligible employees, their dependents, former employees entitled to a future retirement benefit, and retirees;

2. MCHCP will be the only health care offering made to its eligible members;

3. The public entity shall contribute at least fifty percent (50%) of the lowest-cost employee-only premium per month toward each active employee's premium for the plan(s) offered through MCHCP. There is no contribution requirement for dependents or retirees;

4. *[The public entity shall contribute at least fifty percent (50%) toward the employee-only dental premium per month. One hundred percent (100%) of the employees enrolled in the medical plan and fifty percent (50%) of dependents enrolled in the medical plan must participate in the dental plan. The number of employees enrolled in the dental plan must be equal to or exceed the number in the medical plan, but the same employees do not have to be enrolled in both plans;]* **There are no participation or contribution requirements for dental coverage;**

5. There are no participation or contribution requirements for vision coverage;

6. The Employee Assistance Program is paid by the employer and requires one hundred percent (100%) participation of employees eligible for medical coverage and can be expanded to additional classifications;

7. For public entities with fewer than twenty-five (25) employees, the public entity shall only offer one (1) MCHCP medical plan choice to its employees. For public entities with twenty-five (25) or more employees, the public entity may offer two (2) MCHCP medical plan choices;

8. For public entities with more than a total of three (3) employees, at least seventy-five percent (75%) of all eligible employees must enroll in MCHCP. If an employee declines coverage, s/he must submit a form stating coverage is waived. If the employee is waiving coverage because s/he is covered under another group health plan, Medicare or Medicaid, the employee must submit proof of other coverage. An employee with other group coverage, Medicare, or Medicaid is exempt from the seventy-five percent (75%) enrollment participation requirement. A participation audit will be conducted annually to ensure the participation requirement is met;

9. Any individual eligible as an employee may be covered as either an employee or dependent, but not both. Employees enrolled as dependents will not be considered as eligible employees;

10. A public entity may apply a probationary period, not to exceed applicable federal guidelines, before benefits become effective; and

11. A public entity must notify MCHCP of a member's termination within thirty (30) days of the termination.

AUTHORITY: section 103.059, RSMo [2000] 2016. Emergency rule filed Dec. 20, 2004, effective Jan. 1, 2005, expired June 29, 2005. Original rule filed Dec. 20, 2004, effective June 30, 2005. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must

be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 22—MISSOURI CONSOLIDATED HEALTH CARE PLAN

Division 10—Health Care Plan

Chapter 3—Public Entity Membership

PROPOSED AMENDMENT

22 CSR 10-3.055 Health Savings Account Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (3), adding section (10), and renumbering as necessary.

PURPOSE: This amendment revises the out-of-pocket maximum for individual family members and adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(3) Out-of-pocket maximum.

(A) The family out-of-pocket maximum applies when two (2) or more family members are covered. The family out-of-pocket maximum must be met before the plan begins to pay one hundred percent (100%) of all covered charges for any covered family member. Out-of-pocket maximums are per calendar year, as follows:

1. Network out-of-pocket maximum for individual—four thousand nine hundred fifty dollars (\$4,950);

2. Network out-of-pocket maximum for family—nine thousand nine hundred dollars (\$9,900). Any individual family member need only incur a maximum of *[eight thousand one hundred fifty dollars (\$8,150)]* **eight thousand five hundred fifty dollars (\$8,550)** before the plan begins paying one hundred percent (100%) of covered charges for that individual;

3. Non-network out-of-pocket maximum for individual—nine thousand nine hundred dollars (\$9,900); and

4. Non-network out-of-pocket maximum for family—nineteen thousand eight hundred dollars (\$19,800).

(10) Virtual visits offered through the vendor's telehealth tool are covered at one hundred percent (100%).

[[10]](11) Newborn's claims will be subject to deductible and coinsurance.

[[11]](12) Each subscriber will have access to payment information of the family unit only when authorization is granted by the adult covered dependent(s).

[[12]](13) Expenses toward the deductible and out-of-pocket maximum will be transferred if the member changes medical plans or continues enrollment under another subscriber's plan within the same plan year.

[[13]](14) Maximum plan payment—Non-network medical claims that are not otherwise subject to a contractual discount arrangement are processed at one hundred ten percent (110%) of Medicare reimbursement for non-network professional claims and following the claims administrator's standard practice for non-network facility claims. Members may be held liable for the amount of the fee above the allowed amount.

[[14]](15) Any claim must be initially submitted within twelve (12) months following the date of service, unless otherwise specified in the network provider contract. The plan reserves the right to deny claims not timely filed. A provider initiated correction to the originally filed claim must be submitted within the timeframe agreed in the provider contract, but not to exceed three hundred sixty-five

(365) days from adjudication of the originally filed claim. Any claims reprocessed as primary based on action taken by Medicare or Medicaid must be initiated within three (3) years of the claim being incurred.

[(15)](16) For a member who is an inpatient on the last calendar day of a plan year and remains an inpatient into the next plan year, the prior plan year's applicable deductible and/or coinsurance amounts will apply to the in-hospital facility and related ancillary charges until the member is discharged.

[(16)](17) A subscriber does not qualify for the HSA Plan if s/he is claimed as a dependent on another person's tax return or, except for the plans listed in section (17) of this rule, is covered under or enrolled in any other health plan that is not a high deductible health plan, including, but not limited to, the following types of insurance plans or programs:

(A) Medicare (unless Medicare is secondary coverage to MCHCP);

(B) TRICARE;

(C) A health care flexible spending account (FSA), with the exception of participation in the premium-only, limited-purpose health FSA, and dependent care section;

(D) Health reimbursement account (HRA); or

(E) If the member has received medical benefits from The Department of Veterans Affairs (VA) at any time during the previous three (3) months, unless the medical benefits received consist solely of disregarded coverage or preventive care.

[(17)](18) A subscriber may qualify for this plan even if s/he is covered by any of the following:

(A) Drug discount card;

(B) Accident insurance;

(C) Disability insurance;

(D) Dental insurance;

(E) Vision insurance; or

(F) Long-term care insurance.

[(18)](19) Services performed in a country other than the United States may be covered if the service is included in 22 CSR 10-3.057. Emergency and urgent care services are covered as a network benefit. All other non-emergency services are covered as determined by the claims administrator. If the service is provided by a non-network provider, the member may be required to provide payment to the provider and then file a claim for reimbursement subject to timely filing limits.

AUTHORITY: sections 103.059 and 103.080.3., RSMo 2016. Emergency rule filed Dec. 22, 2009, effective Jan. 1, 2010, expired June 29, 2010. Original rule filed Jan. 4, 2010, effective June 30, 2010. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

PROPOSED AMENDMENT

22 CSR 10-3.058 PPO 750 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

(D) Four (4) Diabetes Self-Management Education visits; *[and]*

(E) Sterilization procedure for men/.; **and**

(F) **Virtual visits offered through the vendor's telehealth tool.**

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

PROPOSED AMENDMENT

22 CSR 10-3.059 PPO 1250 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

(D) Four (4) Diabetes Self-Management Education visits; *[and]*

(E) Sterilization procedure for men/.; **and**

(F) **Virtual visits offered through the vendor's telehealth tool.**

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment

filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 2—Health Requirements for Movement of Livestock, Poultry, and Exotic Animals

ORDER OF RULEMAKING

By the authority vested in the Animal Health Division under section 265.020, RSMo 2016, the Animal Health Division adopts a rule as follows:

2 CSR 30-2.016 Rabbit Hemorrhagic Disease Import Restrictions on Rabbits and Hares Entering Missouri is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 3, 2020 (45 MoReg 1111). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 20—Division of Learning Services Chapter 100—Office of Quality Schools

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under

section 161.092, RSMo 2016, and section 161.670, RSMo Supp. 2020, the board amends a rule as follows:

5 CSR 20-100.230 is amended.

A notice of proposed rulemaking containing the text of proposed amendment was published in the *Missouri Register* on July 15, 2020 (45 MoReg 1067-1068). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received comments from seven hundred and twenty (720) individuals regarding the proposed amendment.

Note: Due to the volume of comments received relating to 5 CSR 20-100.230, Virtual Instruction Program, the Missouri Department of Elementary and Secondary Education (department) is unable to publish a complete list of individuals commenting on this rule. The department maintains a copy of all individual comments which is available upon request. Requests should be made to the Custodian of Records, Department of Elementary and Secondary Education, PO Box 480, Jefferson City, MO 65102-0480.

COMMENT #1: Parents, Leslie Faraccio, Daniele Brown, and Sandra Muellersman, requested the enrollment response time be shortened. They requested the time frames of fifteen (15) days, one (1) week, and two (2) weeks.

RESPONSE AND EXPLANATION OF CHANGE: The department received numerous comments regarding the enrollment response time. The department recognizes timely enrollment decisions are in the best interest of students. The department will modify section (7) to ten (10) business days, for a response to an enrollment request.

COMMENT #2: Dr. Peter Stiepleman, Superintendent of Columbia Public Schools, requested that the time Local Education Agencies (LEAs) have to complete appeals information start once the district is notified by the department.

RESPONSE: The department declines to make a change based on this comment. Due to time frames established by section 161.670, RSMo, this change is not possible. The department will make every effort to notify the LEA immediately upon receipt of an appeal.

COMMENT #3: Dr. Jerry Hobbs, Executive Director of Missouri Education Reform Council, supports the language relating to Missouri Course Access and Virtual School Program (MOCAP) enrollment decisions that states "[i]f a student requests enrollment in a MOCAP course or fulltime virtual school, the Local Education Agency (LEA) must either approve or deny the request within thirty (30) days," or the decision will be deemed to be approved.

RESPONSE: Please see response to comment #1. No additional changes have been made to the amendment based on this comment.

COMMENT #4: Dr. Jerry Hobbs, Executive Director of Missouri Education Reform Council, also commented that a more reasonable time frame for making an enrollment decision would be seven (7) days.

RESPONSE: Please see the response to comment #1. No additional changes have been made to the amendment based on this comment.

COMMENT #5: Dr. Jerry Hobbs, Executive Director of Missouri Education Reform Council, provided one (1) response with several general statements about MOCAP that were not responsive to the amendment to the rule.

RESPONSE: No changes have been made to the amendment based on these comments not associated with the proposed amendment.

The department will keep these comments in mind for future improvements to the MOCAP program.

COMMENT #6: Dr. John Jungmann, Superintendent of Springfield Public Schools, suggested language in subsection (7)(B) be changed to allow five (5) business days to respond to any appeals for MOCAP programming in order to allow for holidays, school closures, and weekends.

RESPONSE: Due to time frames established by section 161.670, RSMo, which requires the department to make an enrollment decision within seven (7) calendar days of receipt of the appeal, the department declines to make this change.

COMMENT #7: The department received six hundred and eighteen (618) form letters through an email address associated with oneclick-politics.com, stating they were from parents in support of the proposed amendment change requiring enrollment decisions within thirty (30) days.

RESPONSE: No changes have been made to amendment based on these comments.

COMMENT #8: The department received six hundred and eighteen (618) form letters through an email address associated with oneclick-politics.com stating they were from parents urgently seeking virtual education options due to COVID-19, and that the approval process for students seeking full-time virtual school enrollment should be waived immediately.

RESPONSE: Section 161.670, RSMo, establishes the enrollment process that must be approved by the LEA. No changes have been made to the rule based on these comments. The MOCAP office sent emails with the MOCAP phone number to all of the over six hundred (600) email addresses provided and asked if it could be of assistance. Some of the email addresses were incorrect and “bounced back”; some people emailed back and asked to be taken off “our” mailing list; and those who did respond indicated that they did not send the email and did not know what it was about. One (1) person called because he thought the email was about unemployment. He wanted to take online classes but he has a high school degree and no children. One (1) person responded that she requested MOCAP enrollment the day before and was awaiting a decision.

COMMENT #9: Phil Murry, Missouri NEA Board President, requested that the department add a section to the rule requiring all virtual providers operating in Missouri to provide timely data to the district regarding how each student is performing in a virtual course or full-time virtual program.

RESPONSE: This comment is not related to the amendment being proposed. No changes have been made to the amendment based on this comment. The department will keep this comment in mind for future improvements to the MOCAP program.

COMMENT #10: The department received twenty-one (21) comments from school officials requesting that subsection (7)(A) be omitted, and the enrollment decision remain solely an administrative decision, in order to allow for Individualized Education Program (IEP) and section 504 to follow the Individuals with Disabilities Education Act (IDEA) and provisions of Free and Appropriate Public Education (FAPE) for students with disabilities. Specifically, automatic decisions for students with disabilities are not allowable under IDEA or section 504, as these decisions are required to be a team process.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees to add the following to section (7), “excluding students with an Individualized Education Plan (IEP) or 504 plan.”

COMMENT #11: The department received sixty-two (62) comments from school superintendents stating the language of the current statute does not give the department the ability to create additional

timelines, and any attempt to insert a specific timeline would exceed the department’s authority. Additionally, if the department chooses to move forward with the rule, the language be changed to business days.

RESPONSE: The department has the authority through rulemaking, to clarify the statutory requirements found in section 161.670, RSMo. No changes have been made to the amendment based on these comments.

COMMENT #12: The department received sixty-two (62) comments from school superintendents stating the proposed language of section (7) is too vague and could lead to misunderstanding that the time frame is for both the initial staff determination and the local board of education’s decision.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees to add the clarification of “initial” to section (7). The department agrees to add further language that indicates when the ten (10) business day period begins for enrollment decisions.

COMMENT #13: The department received sixty-two (62) comments from school superintendents communicating concerns about the proposed timeline and meeting the requirements of IDEA and section 504 for students with disabilities.

RESPONSE: Please see response to comment #10. No additional changes have been made to the amendment based on these comments.

COMMENT #14: The department received sixty-two (62) comments from school superintendents about subsection (7)(B), requesting that the department rescind this provision. The commenters request that the time limitation be changed to five (5) calendar days if the department moves forward.

RESPONSE: Due to time frames established by section 161.670, RSMo, which require the department to make an enrollment decision within seven (7) calendar days of receipt of the appeal, the department declines to make this change.

COMMENT #15: The department received sixty-two (62) comments from school superintendents about section (8), stating that because no requirement exists within the state statute to mandate schools to report this information, they request this section be removed. The comment requests that if the department chooses to move forward, the requested information be collected for all virtual courses and programs, not just those limited to MOCAP.

RESPONSE: Because the rule being amended is specific to MOCAP, no changes have been made to the amendment based on these comments.

COMMENT #16: The department received sixty-three (63) comments from school superintendents requesting the department require all virtual providers operating in Missouri to provide public schools timely data regarding how the student is performing to allow them to meet their statutory requirements.

RESPONSE: This comment is not related to the amendment being proposed. As a result, no changes have been made to the amendment based on these comments. The department will keep these comments in mind for future improvements to the MOCAP program.

COMMENT #17: The department received a comment from Jeff Lancial with Pearson Online and Blended Learning, supporting the amendment, and requesting the timeline be changed to five (5) days and that any denial of the request will be accompanied with a written explanation along with supporting rationale.

RESPONSE: Please see the response to comment #1. No additional changes have been made to the amendment based on this comment.

COMMENT #18: The department received six (6) comments that were not responsive to the amendment.

RESPONSE: No changes have been made to the amendment based on these comments.

COMMENT #19: The department received a comment from Rocky Valentine, Superintendent of Sparta RIII School District, expressing concern about the proposed MOCAP amendment, and that the failure to approve the proposed changes would have a negative impact on small districts.

RESPONSE: No changes have been made to the amendment based on this comment.

COMMENT #20: Melissa Randol, Executive Director of Missouri School Boards Association (MSBA), commented that proposed section (7) conflicts with state statute because the state statute clearly allows for both an initial decision, an appeal of that decision, and then gives the school board or governing body an additional thirty (30) days to make the final LEA decision.

RESPONSE: The department agrees to make a change that resolves this issue. Please see the change for clarification in comment #12. No additional changes have been made to the amendment based on this comment.

COMMENT #21: Melissa Randol, Executive Director of MSBA, commented concern about subsection (7)(B) and that the seventy-two (72) hour deadline does not factor in weekends, holidays, or situations where school offices are closed. Further, the regulation does not allow for an extension of any reason and begins when the appeal is filed with the department, not when the district is notified. MSBA recommends three (3) business days from the date the LEA is notified by the department.

RESPONSE: Due to time frames established by section 161.670, RSMo, which requires the department to make an enrollment decision within seven (7) calendar days of receipt of the appeal, the department declines to make this change.

COMMENT #22: Melissa Randol, Executive Director of MSBA, commented that the proposed regulatory change adds specific requirements for LEAs that serve as MOCAP providers but does not explicitly require the same assurances from all MOCAP providers. MSBA recommends that the regulation be amended and clarified to provide the same level for all MOCAP providers. MSBA is concerned that the differences between subsections (4)(A) and (4)(B) could be interpreted to mean that the department intended to apply different standards depending on the sponsor of the course.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees to add clarification to the purpose section of the regulation to note that the requirements are the same for both kinds of providers.

COMMENT #23: Melissa Randol, Executive Director of MSBA, provided comment on additional laws, regulations, and other standards which should be included in the review for MOCAP providers.

RESPONSE: The department appreciates this comment and intends to review the information for future improvements to the MOCAP program. No changes have been made to the amendment based on this comment.

COMMENT #24: Melissa Randol, Executive Director of MSBA, shared concern that section (5) on accessibility has been deleted. MSBA encouraged the reference of Americans with Disabilities Act (ADA) and section 504 of the Rehabilitation Act of 1973 (section 504), in addition to section 161.935, RSMo.

RESPONSE: The section on accessibility was moved. Please reference subparagraph (4)(B)3.D.

COMMENT #25: Melissa Randol, Executive Director of MSBA, commented that the regulation should be reviewed for consistency. Sometimes the term “vendor” is used and sometimes the term “courseware provider” is used, see subsection (3)(A) and section (4).

Also, sometimes the term local education agencies (LEAs) is used and sometimes “school district and charter schools” MSBA is concerned this type of discrepancy could be used by a MOCAP provider to avoid legal compliance.

RESPONSE AND EXPLANATION OF CHANGE: The department appreciates the suggestion for consistency and will make the necessary changes to use the terms “provider” and “LEA” where appropriate for the sections provided for in the amendment.

COMMENT #26: Jeanette Cowherd, Superintendent of Park Hill School District, commented she supported the thirty- (30-) day initial approval decision and also no concern in reporting approvals or denials.

RESPONSE: Please refer to the response for comment # 1.

COMMENT #27: Jeanette Cowherd, Superintendent of Park Hill School District, stated she understood the need for the seventy-two (72) hour time limit based on the seven- (7-) day time limit for the department but said that four (4) or five (5) days would be helpful.

RESPONSE: Due to time frames established by section 161.670, RSMo, which requires the enrollment decision must be communicated from the department to the student within seven (7) days, the department declines to make this change.

COMMENT #28: Jeanette Cowherd, Superintendent of Park Hill School District, commented that the most important issue to address is timely data to schools. “Timely” is too vague and open to interpretation, she suggests a specific time frame for providers and that weekly would be appropriate.

RESPONSE: The department appreciates this comment and intends to review the information for future improvements to the MOCAP program. No changes have been made to the amendment based on this comment.

COMMENT #29: Jordan McGrain, the Executive Director of National Coalition for Public School Options, provided one (1) response with several general statements that did not suggest specific changes to the amendment.

RESPONSE: The department appreciates these comments and intends to review the information for future improvements to the MOCAP program. The department is committed to helping families and districts so that eligible Missouri students have access to MOCAP. The department encourages parents who have questions or concerns to reach out to the department. No changes have been made to the amendment based on these comments.

COMMENT #30: Jordan McGrain, the Executive Director of National Coalition for Public School Options, supports the concept that inaction by a district should be deemed as an approval but that thirty (30) days does not represent the “typical process” for course enrollment. He requests that the time frame be shortened to three (3) days with a potential extension for IEPs, and that this take effect immediately.

RESPONSE: Please see the response to comment #1. No additional changes have been made to the amendment based on this comment.

COMMENT #31: Jordan McGrain, the Executive Director of National Coalition for Public School Options, commented that the appeals process should be addressed and heard by the governing board with “some expedience” and that the parent must be afforded the right to be represented by counsel. The parent should be given equal time to present the case and witnesses and that no new reasons for denial or new evidence should be presented by the district administration at the appellate hearing.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees to clarify that in the event of an appeal to the department, the department will require the LEA provide the initial good cause justification for the denial of enrollment. The remainder of this comment

falls within the purview of the LEA.

COMMENT #32: Jordan McGrain, Executive Director of National Coalition for Public School Options, included “redline edits” to the proposed amendment and many of these edits included sections not being amended at this time.

RESPONSE: The department will take the edits to sections not being amended at this time into consideration for future improvements to the MOCAP program. To the extent Mr. McGrain’s recommended edits are already addressed in this order of rulemaking, the department will not repeat its responses.

COMMENT #33: Based on revision made to this amendment, the department noted the acronym for the term “local education agencies” – LEA – should now appear in the purpose statement rather than in section (3).

RESPONSE AND EXPLANATION OF CHANGE: The department will provide the acronym for local education agencies in the purpose statement.

COMMENT #34: During a review of the proposed amendment, the department noted that clarity about submitting appeals could be improved by changing the website listed in subsection (7)(B) from dese.mo.gov to www.mocap.mo.gov.

RESPONSE AND EXPLANATION OF CHANGE: The department will list the MOCAP website in subsection (7)(B).

5 CSR 20-100.230 Virtual Instruction Program

PURPOSE: This rule establishes policies and procedures for the Missouri Department of Elementary and Secondary Education (department) to implement a public virtual school program to serve school-age students residing in the state, as authorized by section 161.670, RSMo. There are two (2) paths to become an approved MOCAP provider, through the Request for Proposal (RFP) process or in partnership with a local education agency (LEA). This rule specifically addresses requirements for LEAs, the same requirements are addressed by the RFP.

(3) Credit. Course credit earned through MOCAP shall be recognized by all LEAs in Missouri.

(B) LEAs will accept all transfer credit earned from any MOCAP course.

(C) LEAs will ensure transcripts specify which credits were earned through MOCAP courses.

(4) Provider and Course Inclusion in the MOCAP Catalog. There are two (2) methods by which virtual providers and virtual coursework will be included in the MOCAP Catalog:

(A) Request for Proposals. If more than one (1) provider is determined to be in compliance with the provisions of section 161.670, RSMo, the requirements of this rule, to meet qualifications of the MOCAP Qualified Vendor List, to be responsive to the request for proposal issued by the department by meeting the standards for course alignment to Missouri State Learning Standards, web accessibility for students with disabilities, agreeing to all mandatory contractual terms specified within the request for proposal, agreeing to acceptable contractual terms for all negotiable contractual items within the request for proposal, and section 162.1250, RSMo, the department shall ensure that multiple content providers are allowed; and

(B) LEAs.

1. LEAs may request that the department include virtual courses offered by the school district or charter school in the MOCAP catalog.

2. Requests must be made by January 1 for inclusion in the fall catalog and July 1 for inclusion in the spring catalog.

3. The LEA is deemed to be an approved provider; however, before courses are included in the MOCAP catalog, the LEA must

demonstrate that they meet the requirements of sections 161.670 and 162.1250, RSMo, including, but not limited to:

A. Pricing and billing structures meet the requirements of section 161.670, RSMo;

B. Student information is secure and the LEA’s designee signs the department’s attestation that they have measures in place to prevent data breaches and that data breaches are reported pursuant to sections 162.1475 and 407.1500, RSMo;

C. Courses are taught by teachers appropriately certified by the department as required by section 161.670, RSMo;

D. Courses meet the requirements of section 162.1250, RSMo;

E. Courses meet the standards of section 161.935, RSMo, to assure compliance with federal accessibility laws; and

F. Courses are aligned to Missouri State Learning Standards.

4. If a LEA offers virtual courses or a full-time virtual program that is purchased from another vendor, the LEA is the approved provider. The approved provider’s responsibilities include, but are not limited to, coordination of enrollment, billing, progress and completion reporting, educator assignment reporting, and dispute resolution.

(7) MOCAP Enrollment Decisions. If a student, excluding students with an Individualized Education Plan (IEP) or a 504 plan, requests enrollment in a MOCAP course or full-time virtual school, the LEA must either approve or deny the initial request within ten (10) business days, defined as any non-holiday weekday in which the administrative offices operate normal business hours. The ten (10) business day period will begin when the LEA receives the request. A failure to render and communicate the initial decision within ten (10) business days will be deemed to be an enrollment approval.

(A) MOCAP enrollment decisions for students with disabilities must be made by the student’s IEP or 504 team.

(B) Appeals to the department of enrollment in MOCAP courses can be made through the department’s website: www.mocap.mo.gov. If a student or parent (appellant) files an appeal to the department of an enrollment decision, the department will notify the appellant and the LEA of receipt of the appeal. The appellant, when filing the appeal, must submit any and all material previously submitted to the governing board of the LEA whose decision is being appealed along with the final decision of the governing board. The school district or charter school will have seventy-two (72) hours from the filing of the appeal to submit the full record, including evidence given by the LEA used to make the governing board’s decision. The LEA must provide the initial good cause justification for the enrollment decision. If necessary, the department may ask for clarification of the materials presented.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 75—Peace Officer Standards and Training Program Chapter 13—Peace Officer Licenses

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under sections 590.030 and 590.190, RSMo 2016, the director amends a rule as follows:

11 CSR 75-13.050 Missouri Peace Officer License Exam is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 3, 2020 (45 MoReg 1111-1112). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and
Training Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under sections 590.030, 590.040, and 590.190, RSMo 2016, the director amends a rule as follows:

11 CSR 75-14.050 Minimum Standards for a Certified Basic Training Course is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 3, 2020 (45 MoReg 1112). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 35—Hospices**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health and Senior Services under section 197.270, RSMo 2016, the department amends a rule as follows:

19 CSR 30-35.010 Hospice Program Operations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1257-1259). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received seven (7) letters/emails with eleven (11) comments on the proposed amendment.

COMMENT #1: Helen Cassidy, Carol Emmerich, Mandy Lawrence, Jane Moore and David Wiley comment that they are supportive of the proposed change to allow emergent visits to be made within ninety (90) minutes from the time the need is identified. The commenters state that nurses respond immediately twenty-four (24) hours a day. However, large coverage areas, including more rural areas, make it difficult to always meet the time requirement. This rule change provides hospice providers with greater flexibility to meet these challenges.

RESPONSE: No changes have been made to the amendment as a result of this comment.

COMMENT #2: Jorgen Schlemeier is supportive of the physician assistant to be considered the patient's attending physician. Mr. Schlemeier finds the department's proposed amendment accurately implements the change made to the federal law on this issue.

RESPONSE: No changes have been made to the amendment as a result of this comment.

COMMENT #3: Helen Cassidy, Mandy Lawrence, Jane Moore,

Michael Stoker and David Wiley, are supportive of the rule change made to allow the nurse practitioner and the physician assistant to act as the hospice attending physician. The commenters find the change made by the department to be in line with the federal regulations and the federal hospice conditions of participation. The commenters believe that allowing nurse practitioners and physician assistants to serve as hospice attending physicians will assist the communities which struggle with physician shortages.

RESPONSE: No changes have been made to the amendment as a result of this comment.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 400—Life, Annuities and Health
Chapter 5—Advertising and Material Disclosures**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Commerce and Insurance under section 374.045.1(2), RSMo 2016, and section 376.756, RSMo Supp. 2020, the director amends a rule as follows:

20 CSR 400-5.600 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2020 (45 MoReg 1068-1070). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The director received one (1) letter dated March 9, 2020, containing three (3) comments on the proposed amendment from Tamara W. Kopp, Executive Director of the Missouri Life & Health Insurance Guaranty Association ("Association"). A public hearing on this proposed amendment was held on August 14, 2020, and the public comment period ended on August 14, 2020. Tamara W. Kopp attended the public hearing and requested that her written comments contained within her letter dated March 9, 2020, be included in the record for the hearing. Tamara W. Kopp made three (3) additional comments at the public hearing.

COMMENT #1: Ms. Kopp requested that the definition for "Health Benefit Plan" contained in Appendix One be changed to include summary language rather than referring to a statutory reference. Ms. Kopp believes a summary is more helpful to consumers who may not be familiar with how to search Missouri's statutory sections. Additionally, Ms. Kopp indicated that the summary language is consistent with the NAIC Guideline.

RESPONSE: The department reviewed and carefully considered Ms. Kopp's comment. The department does not want to create a conflict between the definition of "Health Benefit Plan" as provided in section 376.717.7 of the Missouri Life and Health Insurance Guaranty Association Act and the description provided in Appendix One. Therefore, no change has been made to this proposed amendment based on this comment.

COMMENT #2: Ms. Kopp requested that the director modify the language in Appendix One regarding benefits provided by a long-term care (LTC) rider to a life insurance policy or annuity contract to mirror the language used in the NAIC Guideline. The NAIC Guideline uses the term "shall" where the proposed amendment uses the term "will". The NAIC Guideline uses the term "base" where the proposed amendment uses the term "basic."

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed Ms. Kopp's comment. Identical language can be found in section 376.717.7 of the Missouri Life and Health Insurance

Guaranty Association Act. The statute uses the terms “shall” and “basic.” The language in the amendment should be consistent with identical language in a Missouri statute as opposed to the NAIC Guideline. The provision will be changed to replace the term “will” with “shall.” No other change to this proposed amendment will be made based on this comment.

COMMENT #3: Ms. Kopp requested that the director include the Association’s and the department’s email addresses in the contact information section of Appendix One.

RESPONSE: The department reviewed and carefully considered Ms. Kopp’s comment. The Association’s email address is included in the proposed amendment. Section 376.756.2(1) requires the director to include the name and address of the Life and Health Insurance Guaranty Association and Department of Commerce and Insurance. The statute does not require an email address be provided. The proposed amendment includes the name and address of the Department of Commerce and Insurance. Therefore, no change has been made to this proposed amendment based on this comment.

COMMENT #4: Ms. Kopp provided an overview of the Association. Ms. Kopp commented that the amendment directly affects the Association in that the notice provides information to policyholders regarding the benefits that might be available to those policyholders in the event that their insurance company becomes insolvent. Ms. Kopp further commented that the notice provides levels of coverage and provides the contact information for the Association.

RESPONSE: The director appreciates this comment. No changes have been made to the amendment as a result of this comment.

COMMENT #5: Ms. Kopp commented that the Association frequently receives phone calls inquiring about coverage provided by the Association. The Association also receives phone calls from individuals who want information about their specific policy. The individuals contact the Association because they have received the notice that is shown in Appendix One with their insurance policy, which includes contact information for the Association. Ms. Kopp suggests to the director that it would be helpful to consumers and policyholders if insurance companies were also required to include contact information for the insurance company with the policy.

RESPONSE: The director has considered this comment, but no changes have been made to the proposed amendment in response. Section 376.756.2 does not require contact information of an insurance company to be included on the notice shown in Appendix One.

COMMENT #6: Ms. Kopp indicated that the Association supports the adoption of the proposed amendment.

RESPONSE: The director appreciates this comment and concurs with the support of the proposed amendment. No changes have been made to the amendment as a result of this comment.

20 CSR 400-5.600 Missouri Life and Health Insurance Guaranty Association

**APPENDIX ONE
NOTICE OF PROTECTION PROVIDED BY
MISSOURI LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION**

This notice provides a *brief summary* of the Missouri Life and Health Insurance Guaranty Association (“the Association”) and the protection it provides for policyholders. This safety net was created under Missouri law, which determines who and what is covered and the amounts of coverage.

The Association was established to provide protection in the unlikely event that your life, annuity, or health insurance company becomes financially unable to meet its obligations and is taken over by its insurance department. If this should happen, the Association will typically arrange to continue coverage and pay claims, in accordance with Missouri law, with funding from assessments paid by other insurance companies. (For purposes of this notice, the terms “insurance company” and “insurer” include health maintenance organizations (HMOs).)

The basic protections provided by the Association are as follows:

- Life Insurance
 - \$300,000 in death benefits, but not more than \$100,000 in net cash surrender and net cash withdrawal values
- Health Insurance
 - \$500,000 for health benefit plans
 - \$300,000 in disability insurance benefits
 - \$300,000 in long-term care insurance benefits
 - \$100,000 in other types of health insurance benefits
- Annuities
 - \$250,000 in the present value of annuity benefits, including net cash surrender and net cash withdrawal values

The maximum amount of protection for each individual, regardless of the number of policies or contracts, is as follows:

- \$300,000 in aggregate for all types of coverage listed above, with the exception of health benefit plans
- \$500,000 in aggregate for health benefit plans
- \$5,000,000 to one policy owner of multiple nongroup policies of life insurance, whether the policy owner is an individual, firm, corporation, or other person, and whether the persons insured are officers, managers, employees, or other persons

“Health benefit plan” is defined in section 376.718, RSMo.

Note: Certain policies and contracts may not be covered or fully covered. For example, coverage does not extend to any portion(s) of a policy or contract that the insurer does not guarantee, such as certain investment additions to the account value of a variable life insurance policy or a variable annuity contract. There are also various residency requirements and other limitations under Missouri law.

Benefits provided by a long-term care (LTC) rider to a life insurance policy or annuity contract shall be considered the same type of benefits as the basic life insurance policy or annuity contract to which it relates.

To learn more about the above protections, as well as protections relating to group contracts or retirement plans, please visit the Association’s website at www.mo-iga.org, or contact:

Missouri Life and Health
Insurance Guaranty Association
2210 Missouri Boulevard
Jefferson City, Missouri 65109
Ph.: 573-634-8455
Fax: 573-634-8488

Missouri Department of Commerce
and Insurance
301 West High Street, Room 530
Jefferson City, Missouri 65101
Ph.: 573-522-6115

Insurance companies and agents are not allowed by Missouri law to use the existence of the Association or its coverage to encourage you to purchase any form of insurance or HMO coverage. When selecting an insurance company, you should not rely on Association coverage. If there is any inconsistency between this notice and Missouri law, then Missouri law will control.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 700—Insurance Licensing
Chapter 4—Utilization Review**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 700-4.100 Utilization Review is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2020 (45 MoReg 1070-1071). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board amends a rule as follows:

20 CSR 2120-2.020 Biennial License Renewal is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1259-1260). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board adopts a rule as follows:

20 CSR 2120-2.021 Inactive License is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1260). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board amends a rule as follows:

20 CSR 2120-2.100 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1260-1264). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board adopts a rule as follows:

**20 CSR 2120-2.220 Renewal of Licenses for Military Members
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1265). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 3—Preneed**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2120-3.105 Filing of Annual Reports is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1266). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 3—Preneed**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board adopts a rule as follows:

20 CSR 2120-3.105 Filing of Annual Reports and License Renewal
is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1266-1270). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 3—Preneed**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2120-3.115 Contact Information **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1271). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 3—Preneed**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2120-3.120 Display of License **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1271). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State*

Regulations.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 3—Preneed**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2120-3.125 Corporate Ownership of a Licensee
is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1271). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 3—Preneed**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2120-3.305 Funeral Director Agent Registration
is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 17, 2020 (45 MoReg 1271-1272). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 4240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission withdraws a proposed rescission as follows:

20 CSR 4240-3.155 Requirements for Electric Utility Cogeneration
Tariff Filings **is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 1, 2020 (45 MoReg 1005-1006). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The public comment period ended July 31, 2020, and the commission held a public hearing on the proposed rescission on August 11, 2020. The commission received timely written comments from Karen Bretz, Senior Counsel, on behalf of the staff of the commission, Caleb Hall, Senior Counsel, on behalf of The Office of the Public Counsel, Patricia Sharkey, Policy Director, on behalf of Midwest Cogeneration Association, Mary Shields, Executive Director, on behalf of Missouri Solar Energy Association Roger W. Steiner, Attorney, on behalf of Evergy Missouri Metro and Evergy Missouri West, Paula N. Johnson, Senior Corporate Counsel, on behalf of Union Electric Company d/b/a Ameren Missouri, Diana C. Carter, Attorney, on behalf of Liberty Utilities, and Tim Opitz, Attorney, on behalf of Renew Missouri. The commission received comments at the hearing from Karen Bretz, Senior Counsel, on behalf of the staff of the commission, Claire Eubanks, Engineer Manager, on behalf of the staff of the commission, Caleb Hall, Senior Counsel, on behalf of the Office of the Public Counsel, Jim Fischer, Fischer & Dority, PC, on behalf of Evergy Missouri Metro and Evergy Missouri West, Paula N. Johnson, Senior Corporate Counsel, on behalf of Ameren Missouri. The comments regarding this rescission and the proposed amendment of the commission's cogeneration rule raised concerns about this proposed rescission, as portions of this rule were included in the proposed cogeneration amendment, which the commission is withdrawing.

RESPONSE: After reviewing the comments, the commission concludes that since the proposed cogeneration rescission is being withdrawn, it is not appropriate to proceed with this rescission. The commission will withdraw this rescission.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 4240—Public Service Commission Chapter 20—Electric Utilities

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission withdraws a proposed amendment as follows:

20 CSR 4240-20.060 Cogeneration and Small Power Production is **withdrawn**.

A notice of proposed rulemaking containing the proposed amendment was published in the *Missouri Register* on July 1, 2020 (45 MoReg 1006-1014). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The public comment period ended July 31, 2020, and the commission held a public hearing on the proposed amendment on August 11, 2020. The commission received timely written comments from Karen Bretz, Senior Counsel, on behalf of the staff of the commission, Caleb Hall, Senior Counsel, on behalf of The Office of the Public Counsel, Patricia Sharkey, Policy Director, on behalf of Midwest Cogeneration Association, Mary Shields, Executive Director, on behalf of Missouri Solar Energy Association Roger W. Steiner, Attorney, on behalf of Evergy Missouri Metro and Evergy Missouri West, Paula N. Johnson, Senior Corporate Counsel, on behalf of Union Electric Company d/b/a Ameren Missouri, Diana C. Carter, Attorney, on behalf of Liberty Utilities, and Tim Opitz, Attorney, on behalf of Renew Missouri. The commission received comments at the hearing regarding the amendment from Karen Bretz, Senior Counsel, on behalf of

the staff of the commission, Claire Eubanks, Engineer Manager, on behalf of the staff of the commission, Caleb Hall, Senior Counsel, on behalf of the Office of the Public Counsel, Jim Fischer, Fischer & Dority, PC, on behalf of Evergy Missouri Metro and Evergy Missouri West, Paula N. Johnson, Senior Corporate Counsel, on behalf of Ameren Missouri. The comments raised serious questions and concerns about proceeding with the proposed amendment at this time.

RESPONSE: After reviewing the comments, the commission concludes that this is not the appropriate time to amend this rule. The commission will withdraw this amendment.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 4240—Public Service Commission Chapter 20—Electric Utilities

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-20.065 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2020 (45 MoReg 1015-1017). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 31, 2020, and the commission held a public hearing on the proposed amendment on August 11, 2020. The commission received timely written comments from Karen Bretz, Senior Counsel, on behalf of the staff of the commission (staff), Caleb Hall, Senior Counsel, on behalf of The Office of the Public Counsel (OPC), Patricia Sharkey, Policy Director, on behalf of Midwest Cogeneration Association, Mary Shields, Executive Director, on behalf of Missouri Solar Energy Association, Roger W. Steiner, Attorney, on behalf of Evergy Missouri Metro and Evergy Missouri West (Evergy Missouri), Paula N. Johnson, Senior Corporate Counsel, on behalf of Union Electric Company d/b/a Ameren Missouri, Diana C. Carter, Attorney, on behalf of Liberty Utilities, and Tim Opitz, Attorney, on behalf of Renew Missouri. The commission received comments at the hearing regarding the amendment from Karen Bretz, Senior Counsel, on behalf of staff, Claire Eubanks, Engineer Manager, on behalf of staff, Caleb Hall, Senior Counsel, on behalf of OPC, Jim Fischer, Fischer & Dority, PC, on behalf of Evergy Missouri, and Paula N. Johnson, Senior Corporate Counsel, on behalf of Ameren Missouri.

COMMENT #1: Staff commented that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to streamline, and eliminate redundant regulations. Staff supports the proposed amendment.

RESPONSE: No change was made as a result of this comment.

COMMENT #2: Staff commented supporting proceeding with this amendment given the Federal Energy Regulatory Commission's Order 872, updating the Public Utility Regulatory Policies Act (PURPA). Staff states that PURPA does not address net metering, so there is no reason why the proposed net metering amendments should not proceed. Ameren Missouri also commented that the net metering amendment should proceed.

RESPONSE: No change was made as a result of this comment.

COMMENT #3: Renew Missouri attached The Corporate Clean Energy Procurement Index 2020, to its written comments for the commission's information. It ranks the states based on the ease companies can procure renewable energy. While the attachment was primarily offered in support of Renew Missouri's cogeneration positions, it also contained information regarding net metering in other states.

RESPONSE: No change was made as a result of this comment.

COMMENT #4: Renew Missouri commented, in response to a question by commissioner Holsman, that in regard to net metering Missouri is average as compared to other states.

RESPONSE: No change was made as a result of this comment.

COMMENT #5: Ameren Missouri, Evergy, Liberty Utilities, and OPC commented regarding errors in the numbering of several sections within the amendment. The proposed amendments to 20 CSR 4240-20.065(1) have subsection (D) follow subsection (B). Subsection 20 CSR 4240-20.065(1)(G) regarding the definition of operational should be updated to the subsection (F) to for sequential order. A section number was skipped resulting in sections (4)-(8) being numbered incorrectly. Paragraph 20 CSR 4240-20.065(9)(A)2., contains two (2) subsections labeled A.

RESPONSE: Errors were corrected in the proposed amendment filed in the *Missouri Register*. No change was made as a result of this comment.

COMMENT #6: OPC commented that the proposed amendment 20 CSR 4240-20.065(1)(B) definition of avoided fuel cost refers to 20 CSR 4240-20.060, which does not contain avoided fuel costs. The amendment is unclear as to whether avoided fuel costs and avoided costs are the same.

The commission's staff proposed that 20 CSR 4240-20.065(1)(B) be modified to read "Avoided fuel cost means the incremental costs to the electric utility of electric energy, but for the purchase from the customer-generator, the utility would generate itself or purchase from another source. Avoided fuel cost is used to calculate the electric utility's standard rate for purchase from systems less than one hundred (100) kilowatts pursuant to 20 CSR 4240-20.060. The information used to calculate this rate is provided to the commission biennially and maintained for public inspection."

RESPONSE AND EXPLANATION OF CHANGE: The commission will amend the rule to incorporate its staff's proposed language.

COMMENT #7: Ameren Missouri, Evergy, and Liberty Utilities commented that the proposed amendment deletes the definition of "customer generator" from 20 CSR 4240-20.065(1)(C). The definition mirrors the definition in section 386.890, RSMo. Subsection 20 CSR 4240-20.065(1)(A) incorporates definitions contained in 20 CSR 4240-20.100, which contains a definition of customer generator that differs from the statutory definition. Ameren Missouri, Evergy, and Liberty Utilities recommend using the statutory definition.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that to avoid contradictory definitions the rule should be revised to retain the statutory definition.

COMMENT #8: Ameren Missouri, Evergy Missouri, and Liberty Utilities commented that the current rule at 20 CSR 4240-20.065(4)(A) provides that customer-generators can waive the liability insurance minimum policy requirements "for good cause shown." They are unclear how this provision would be implemented and believe that differing interpretations of what constitutes good cause could lead to complaints to the commission. Ameren Missouri, Evergy, and Liberty Utilities recommend that the "good cause" language be removed from the rule.

RESPONSE: This provision is in the current rule and no one indicated that it has caused any problems in the past. Further since the deletion of the provision was not included in the proposed amendment,

no other stakeholder has had notice of the proposed change, nor have they had an opportunity to comment regarding the provision. No change was made as a result of this comment.

COMMENT #9: Ameren Missouri, Evergy Missouri, and Liberty Utilities commented recommending that the dates be removed from the standards in 20 CSR 4240-20.065(5)(A). They say the standards are currently going through revisions and UL issues revisions periodically. Ameren Missouri, Evergy, and Liberty Utilities recommend adding "as revised from time to time" instead of specific dates.

Staff proposed to identify the standard by date as otherwise the rule implies the most recent version is applicable. Steps have not been taken to adopt the most recent IEEE 1547 revision. Staff does not oppose a change if amendment of the cogeneration rule 20 CSR 4240-20.060 requiring commission approval of technical specifications and staff's proposed language in 20 CSR 4240-20.065(7)(A) is adopted.

RESPONSE: The commission is withdrawing the proposed amendment of 20 CSR 4240-20.060 and wishes to keep the dates identifying the standards version. No change was made as a result of this comment.

COMMENT #10: Ameren Missouri, Evergy Missouri, and Liberty Utilities commented that a subsection (G) needs to be added to 20 CSR 4240-20.065(5) with a provision that allows a utility to require a customer generator to test its generating capacity for the applicable regional transmission organization requirements. Ameren Missouri, Evergy Missouri, and Liberty Utilities assert that this is necessary to meet new regional transmission organization accreditation requirements.

RESPONSE: The proposed new section was not included in the proposed amendment so no other stakeholder has had notice of the proposed change, nor have they had an opportunity to comment regarding the proposed change. No change was made as a result of this comment.

COMMENT #11: Regarding section (6), the commission notes that because it is withdrawing the proposed amendment of 20 CSR 4240-20.060, the proposed amendment's reference to 20 CSR 4240-20.060(4)(A)1. is now incorrect. It also is no longer necessary to have a tariff case for the net metering rate without the cogeneration rate filing.

RESPONSE AND EXPLANATION OF CHANGE: The commission will revert to the original language of this section and update the rule citation to the current Title 20 citation.

COMMENT #12: Ameren Missouri, Evergy Missouri, and Liberty Utilities commented that they have concerns regarding the removal of a template interconnection agreement from 20 CSR 4240-20.065(7). The amendment proposes to remove the agreement from the rule, placing it on the commission's website and then incorporating it by reference into the rule. Ameren Missouri is specifically concerned with the removal of the template to the commission's website because it has existing variances from the rule and is unsure what would happen to those variances, or what variances would be allowable in the future. Ameren Missouri, Evergy Missouri, and Liberty Utilities question how the website agreement will be developed, and how disputes will be resolved.

Staff commented in response that this removal is a simplification, which would not require variances for minor wording changes. Staff also states that removing forms from the rule complies with Executive Order 17-03.

RESPONSE: The commission is concerned that removing the template application from the rule will make it less accessible to the public. Even if the template application were removed from the rule and incorporated by reference, wording changes could not be made without following the required rulemaking procedures, but the temptation to make "minor" changes without following those procedures would

exist. The commission will not remove the template application from the rule nor the language indicating that the application is included in the rule.

COMMENT #13: Staff commented proposing that if the standard version dates are removed from 20 CSR 4240-20.065(5)(A), that 20 CSR 4240-20.065(7)(A) be modified to read that “Each customer-generator and electric utility shall enter into an interconnection agreement, which includes technical and performance standards and interconnection testing requirements developed per 20 CSR 4240-20.060(4)(D). The interconnection agreement will be substantially the same as the interconnection application located on the commission’s website and incorporated by reference.”

RESPONSE: The standard version dates are not being removed from the rule. Therefore, the commission will not make a change to incorporate staff’s proposed language. No changes were made as a result of this comment.

COMMENT #14: Ameren Missouri, Evergy Missouri, and Liberty Utilities commented with concerns that 20 CSR 4240-20.065(7)(A)1. requires “a signature page for the customer and solar installer to indicate acknowledgement of the entire interconnection application.” Since electronic signatures are prevalent and installers often operate as agents for the customer they propose that both physical and electronic signatures be allowed, or that if a physical page is unavailable a letter be sent to the customer confirming terms of the agreement.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that either a physical or electronic signature would satisfy the signature requirement and will add language that electronic signatures are permissible.

COMMENT #15: OPC commented that 20 CSR 4240-20.065(8)(C) requires electric utilities to verify compliance with the proposed “20 CSR 4240-20.060(11)(C)1, but not 20.060(11)(C)2. OPC recommends that the commission instead use 20.060(11)(C).”

Staff responded to OPC’s comments recommending that 20 CSR 4240-20.065(8)(C) be amended to read “Verify compliance with 20 CSR 4240-20.060(11)(C) for customer-generator systems; and”

RESPONSE AND EXPLANATION OF CHANGE: The commission is withdrawing the proposed amendment of 20 CSR 4240-20.060. Therefore, the commission will remove 20 CSR 4240-20.065(8)(C).

COMMENT #16: OPC comments that the proposed subsection 20 CSR 4240-20.065(8)(D), which details the commission’s duties to upload annual net metering reports to the commission’s website is inconsistent with the other subsections requiring utility action. OPC recommends that the commission redraft the subsection (8)(D) to be its own section, or otherwise separate it from the requirements imposed on electric utilities.

Staff responded to OPC’s comments and recommended that 20 CSR 4240-20.065(8)(D) be renumbered to be 20 CSR 4240-20.065(9).

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC and will adopt staff’s proposed revision.

20 CSR 4240-20.065 Net Metering

(1) Definitions.

(B) Avoided fuel cost means the incremental costs to the electric utility of electric energy, but for the purchase from the customer-generator, the utility would generate itself or purchase from another source. Avoided fuel cost is used to calculate the electric utility’s standard rate for purchase from systems less than one hundred (100) kilowatts pursuant to 20 CSR 4240-20.060. The information used to calculate this rate is provided to the commission biennially and maintained for public inspection.

(C) Customer-generator means the owner or operator of a qualified electric energy generation unit that meets all of the following criteria:

1. Is powered by a renewable energy resource;
2. Is an electrical generating system with a capacity of not more than one hundred kilowatts (100 kW);
3. Is located on premises that are owned, operated, leased, or otherwise controlled by the customer-generator;
4. Is interconnected and operates in parallel phase and synchronization with an electric utility and has been approved for interconnection by said electric utility;
5. Is intended primarily to offset part or all of the customer-generator’s own electrical energy requirements;
6. Meets all applicable safety, performance, interconnection, and reliability standards established by the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities; and
7. Contains a mechanism that automatically disables the unit and interrupts the flow of electricity onto the electric utility’s electrical lines whenever the flow of electricity to the customer-generator is interrupted.

(D) Distribution system means facilities for the distribution of electric energy to the ultimate consumer thereof.

(E) Electric utility means every electrical corporation as defined in section 386.020(15), RSMo, subject to commission regulation pursuant to Chapter 393, RSMo.

(F) Operational means all of the major components of the on-site system have been purchased and installed on the customer-generator’s premises and the production of rated net electrical generation has been measured by the electric utility. If a customer has satisfied all of the System Completion Requirements by June 30 of indicated years, but the electric utility is not able to complete all of the company’s steps needed to establish an Operational Date on or before June 30, the rebate rate will be determined as though the Operational Date was June 30. If it is subsequently determined that the customer of the system did not satisfy all Completion Requirements required of the customer on or before June 30, the rebate rate will be determined based on the Operational Date.

(6) Net Metering Rates. Each electric utility shall file on or before January 15 of each odd-numbered year for the commission’s approval in the electric utility’s tariff, a rate schedule with a net metering rate that is the same rate as the utility’s cogeneration rate. The electric utility’s cogeneration rate is filed for the commission’s approval in the electric utility’s tariff on or before January 15 of every odd-numbered year as required in 20 CSR 4240-3.155 Requirements for Electric Utility Cogeneration Tariff Filings section (4). The cogeneration rate is stated in dollars per kilowatt-hour or cents per kilowatt-hour on the cogeneration rate tariff sheet and, likewise, the net metering rate shall be stated in dollars per kilowatt-hour or cents per kilowatt-hour on the net metering rate tariff sheet.

(7) Interconnection Application.

(A) Each customer-generator and electric utility shall enter into the interconnection agreement included herein.

1. The interconnection application shall include a signature page for the customer and solar installer to indicate acknowledgment of the entire interconnection application. It is permissible to sign the signature page with an electronic signature.

2. If the electric utility so chooses, it may allow customers to apply electronically through the electric utility’s website.

A. The interconnection application on the electric utility’s website shall substantially be the same as the interconnection application included herein.

B. The electronic application shall be submitted, or made available in test mode, to the manager of the Energy Unit of the staff

for review by staff prior to being placed on the electric utility's website.

C. The electric utility shall notify the manager of the Energy Unit of the staff of any revisions to the electronic application on its website within ten (10) working days of when the electronic application is revised.

(8) Annual Net Metering Report. Each year prior to April 15, every electric utility shall—

(A) Submit an annual net metering report to the commission, including the following information for the previous calendar year:

1. The total number of customer-generator facilities connected to its distribution system;

2. The total estimated generating capacity of customer-generators that are connected to its distribution system; and

3. The total estimated net kilowatt-hours received from customer-generators.

(B) Supply to the manager of the energy department of the commission a copy of the standard information regarding net metering and interconnection requirements provided to customers or posted on the electric utility's website.

(9) As soon as reasonably possible after the electric utility files its annual net metering report, the commission will place the electronic copies of each electric utility's annual net metering reports on the commission's website in order to facilitate public viewing, as appropriate.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

Salary Schedule Maintained pursuant to Section 105.005, RSMo

<u>Office</u>	<u>FY 2021 Salary</u>
<u>Elected Officials</u>	
Governor	\$133,821
Lt. Governor	86,484
Attorney General	116,437
Secretary of State	107,746
State Treasurer	107,746
State Auditor	107,746
<u>General Assembly</u>	
Senator	35,915
Representative	35,915
Speaker of House	38,415
President Pro Tem of Senate	38,415
Speaker Pro Tem of the House	37,415
Majority Floor Leader of House	37,415
Majority Floor Leader of Senate	37,415
Minority Floor Leader of House	37,415
Minority Floor Leader of Senate	37,415
<u>State Tax Commissioners**</u>	113,139
<u>Administrative Hearing Commissioners</u>	110,312
<u>Labor and Industrial Relations</u>	
<u>Commissioners</u>	113,139
<u>Division of Workers' Compensation</u>	
Chief Legal Counsel *	111,121
Administrative Law Judge *	122,762
Administrative Law Judge in Charge *	127,762
Director, Division of	
Workers' Compensation*	129,762
<u>Public Service Commissioners**</u>	113,142

FY 2021

<u>Statutory Department Directors</u>	\$90,168 - \$153,372
Administration, Agriculture, Corrections, Economic Development, Labor and Industrial Relations, Natural Resources, Public Safety, Revenue, and Social Services	
<u>Probation and Parole</u>	
Chairman	\$76,728 - \$130,524
Board Members	\$69,336 - \$111,864

**Division of Workers' Compensation statutory salaries are tied to those of Associate Circuit Judges and are subject to appropriation.*

Salary Schedule Maintained pursuant to Section 476.405, RSMo

<u>Office</u>	<u>FY 2021 Salary</u>
<u>Supreme Court</u>	
Chief Justice	\$191,613
Judges	183,264
<u>Court of Appeals</u>	
Judges	167,535
<u>Circuit Court</u>	
Circuit Court Judges	157,972
Associate Circuit Judges	145,334
<u>Juvenile Officers</u>	
Juvenile Officer	50,534
Chief Deputy Juvenile Officer	44,003
Deputy Juvenile Officer Class 1	39,265
Deputy Juvenile Officer Class 2	35,802
Deputy Juvenile Officer Class 3	32,694
<u>Court Reporters</u>	60,072
<u>Probate Commissioner *</u>	149,723
<u>Deputy Probate Commissioner *</u>	137,745
<u>Family Court Commissioner *</u>	137,745
 <u>Circuit Clerk</u>	
1st Class Counties	74,001
St. Louis City	119,326
Jackson, Jasper & Cape Girardeau	78,429
2nd & 4th Class Counties	66,744
3rd Class Counties	58,455
Marion-Hannibal & Palmyra	65,712
Randolph	68,840

**Salaries are tied to those of Circuit and Associate
Circuit Judges, subject to appropriation.*

Missouri Executive Pay Plan**Fiscal Year 2021****Executive Pay Ranges as of January 1, 2020**

Executive Level	Minimum	Maximum
I	\$90,168	\$153,372
II	\$76,728	\$130,524
III	\$69,336	\$111,864

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities
Review Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the CON applications listed below. A decision is tentatively scheduled for December 22, 2020. These applications are available for public inspection at the address shown below.

Date Filed

Project Number: Project Name
City (County)
Cost, Description

11/09/2020

#5809 HT: The Children's Mercy Hospital
Kansas City (Jackson County)
\$2,500,000, Replace cardiac catheterization lab

11/10/2020

#5820 HT: Research Medical Center
Kansas City (Jackson County)
\$2,459,500, Replace robotic surgical system

#5815 HT: Research Medical Center
Kansas City (Jackson County)
\$3,373,981, Replace PET/CT unit

#5816 HT: Centerpoint Medical Center
Independence (Jackson County)
\$4,708,272, Replace CT scanner

#5822 NT: Meadow View of Harrisonville Health & Rehabilitation
Harrisonville (Cass County)
\$4,413,513, 15-mile LTC Replacement 60-bed SNF

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by December 12, 2020. All written requests and comments should be sent to—

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102
For additional information contact Alison Dorge at
alison.dorge@health.mo.gov.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

“NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY

TO ALL CREDITORS AND CLAIMANTS AGAINST OZARK LED, LLC, a Missouri liability company (the “Company”):

You are hereby notified that dissolution of the Company was authorized by the members on October 15, 2020. All persons having claims against the Company must present their claims in writing and mail their claims to:

Shawn Roberts
227 Downing St., Ste. 4
Nixa, MO 65714

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice. In order to file a claim with the Company, you must furnish the following: (a) the name, address and telephone number of the claimant; (b) the amount claimed; (c) a description of the nature of the debt or the basis of the claim; (d) the date or dates the claim accrued; and (e) if the claim is founded on a writing, a copy of the writing.”

/s/Shawn Roberts

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST HENDERSON HOME SERVICES, LLC

On October 26, 2020, Henderson Home Services, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was October 26, 2020.

Henderson Home Services, LLC, hereby requests that all persons and organizations with claims against it present them immediately by letter to: Henderson Home Services, LLC, c/o Gregory E. Robinson, P.C., 1422 Elbridge Payne Road, Suite 170, Chesterfield, MO 63017.

All claims must include: (i) the name, address, and telephone number of the claimant; (ii) the amount claimed; (iii) the basis for the claim; (iv) the date(s) on which the event(s) on which the claim is based occurred; and (v) any documentation in support of the claim.

NOTICE: Because of the dissolution of Henderson Home Services, LLC, any and all claims against the Limited Liability Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of the notices authorized by RSMo 347.141, whichever is published last.

**NOTICE OF DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
CENTAUR HOLDING COMPANY**

Centaur Holding Company, a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on October 28, 2020. Any and all claims against Centaur Holding Company may be sent to Affinity Law Group, LLC, 1610 Des Peres Road, Suite 100, St. Louis, MO 63131. Each claim must include: (i) the name, address, and telephone number of the claimant; (ii) amount of the claim; (iii) basis for the claim; (iv) documentation of the claim. A claim against Centaur Holding Company will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMS AGAINST LANDERS & COMPANY LLC**

On November 2, 2020, Landers & Company LLC, A Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against Landers & Company LLC, you must submit a summary in writing of the circumstances surrounding your claim to Landers & Company LLC, 2000 E Broadway, PMB 236, Columbia, MO 65201-6091. The summary of your claim must include the following information: 1) The name, address and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against Landers & Company LLC will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMS AGAINST LANDERS, WEISS, FORSEE FINANCIAL ADVISORS LLC**

On November 2, 2020, Landers, Weiss, Forsee Financial Advisors LLC, A Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against Landers, Weiss, Forsee Financial Advisors LLC, you must submit a summary in writing of the circumstances surrounding your claim to Landers, Weiss, Forsee Financial Advisors LLC, 2000 E Broadway, PMB 236, Columbia, MO 65201-6091. The summary of your claim must include the following information: 1) The name, address and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against Landers, Weiss, Forsee Financial Advisors LLC will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF WINDING UP
TO ALL CREDITORS AND CLAIMANTS AGAINST
AL AND BRIAN INC.**

Al and Brian Inc., a Missouri corporation, charter number 00502552, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on March 27, 2019.

Said corporation requests that all persons and organizations with claims against it present them immediately by letter to: Steven May, Attorney, 175 Main St., C-104, Edwards, CO 81632.

All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; the date(s) on which the event(s) the claim is based occurred; and a brief description of the facts surrounding the claim.

Because of the dissolution of said corporation, any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years of the last filing or publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—43 (2018) and 44 (2019). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				This Issue
	DEPARTMENT OF AGRICULTURE				
2 CSR 30-2.016	Animal Health	45 MoReg 1107	45 MoReg 1111	This Issue	
2 CSR 30-9.040	Animal Health		45 MoReg 24		
2 CSR 80-2.001	State Milk Board		45 MoReg 1340		
2 CSR 80-2.002	State Milk Board		45 MoReg 1340		
2 CSR 80-2.190	State Milk Board		45 MoReg 1564		
2 CSR 80-3.001	State Milk Board		45 MoReg 1657		
2 CSR 80-3.010	State Milk Board		45 MoReg 1657R		
2 CSR 80-3.050	State Milk Board		45 MoReg 1658R		
2 CSR 80-3.120	State Milk Board		45 MoReg 1658R		
	DEPARTMENT OF CONSERVATION				
3 CSR 10-1.010	Conservation Commission		45 MoReg 1564		
3 CSR 10-4.135	Conservation Commission		45 MoReg 1566		
3 CSR 10-4.136	Conservation Commission		45 MoReg 1567		
3 CSR 10-4.137	Conservation Commission		45 MoReg 1567		
3 CSR 10-4.140	Conservation Commission		45 MoReg 1567		
3 CSR 10-4.145	Conservation Commission		45 MoReg 1568		
3 CSR 10-5.205	Conservation Commission		45 MoReg 1568		45 MoReg 1631
3 CSR 10-5.215	Conservation Commission		45 MoReg 1569		
3 CSR 10-5.225	Conservation Commission		45 MoReg 1570		
3 CSR 10-5.300	Conservation Commission		45 MoReg 1570		
3 CSR 10-5.310	Conservation Commission		45 MoReg 1570		
3 CSR 10-5.320	Conservation Commission		45 MoReg 1571		
3 CSR 10-5.330	Conservation Commission		45 MoReg 1571		
3 CSR 10-5.331	Conservation Commission		45 MoReg 1571		
3 CSR 10-5.345	Conservation Commission		45 MoReg 1572		
3 CSR 10-5.445	Conservation Commission		45 MoReg 1572		
3 CSR 10-5.545	Conservation Commission		45 MoReg 1572		
3 CSR 10-5.605	Conservation Commission		45 MoReg 1573		
3 CSR 10-5.705	Conservation Commission		45 MoReg 1573R		
3 CSR 10-5.900	Conservation Commission		45 MoReg 1573		
3 CSR 10-6.550	Conservation Commission		45 MoReg 1576		
3 CSR 10-7.405	Conservation Commission		45 MoReg 992	45 MoReg 1616	
3 CSR 10-7.410	Conservation Commission		45 MoReg 992	45 MoReg 1617	
3 CSR 10-7.412	Conservation Commission		45 MoReg 1576		
3 CSR 10-7.434	Conservation Commission		45 MoReg 1577		
3 CSR 10-7.455	Conservation Commission		45 MoReg 1578		
3 CSR 10-7.600	Conservation Commission		45 MoReg 1578		
3 CSR 10-7.700	Conservation Commission		45 MoReg 1579		
3 CSR 10-7.710	Conservation Commission		45 MoReg 1580		
3 CSR 10-7.900	Conservation Commission		45 MoReg 1583		
3 CSR 10-7.905	Conservation Commission		45 MoReg 1584		
3 CSR 10-9.625	Conservation Commission		45 MoReg 1587		
3 CSR 10-10.707	Conservation Commission		45 MoReg 1587		
3 CSR 10-10.708	Conservation Commission		45 MoReg 1587		
3 CSR 10-10.715	Conservation Commission		45 MoReg 1588		
3 CSR 10-10.732	Conservation Commission		45 MoReg 1588		
3 CSR 10-10.744	Conservation Commission		45 MoReg 1589		
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3 CSR 10-11.110	Conservation Commission		45 MoReg 1589		
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3 CSR 10-11.145	Conservation Commission		45 MoReg 1593		
3 CSR 10-11.180	Conservation Commission		45 MoReg 1593		
3 CSR 10-11.191	Conservation Commission		45 MoReg 1593		
3 CSR 10-12.109	Conservation Commission		45 MoReg 1593		
3 CSR 10-12.110	Conservation Commission		45 MoReg 1594		
3 CSR 10-12.115	Conservation Commission		45 MoReg 1594		
3 CSR 10-12.125	Conservation Commission			45 MoReg 1618	
3 CSR 10-12.130	Conservation Commission		45 MoReg 1595		
3 CSR 10-12.135	Conservation Commission		45 MoReg 1595		
3 CSR 10-12.140	Conservation Commission			45 MoReg 1618	
3 CSR 10-12.145	Conservation Commission			45 MoReg 1619	
3 CSR 10-20.805	Conservation Commission		45 MoReg 1596		
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5 CSR 20-100.230	Division of Learning Services		45 MoReg 1067	This Issue	
5 CSR 20-100.250	Division of Learning Services		45 MoReg 1406R		
5 CSR 20-400.160	Division of Learning Services		45 MoReg 993R	45 MoReg 1798R	
5 CSR 20-400.170	Division of Learning Services		45 MoReg 993R	45 MoReg 1798R	
5 CSR 20-400.180	Division of Learning Services		This Issue		
5 CSR 20-400.190	Division of Learning Services		45 MoReg 994R	45 MoReg 1798R	
5 CSR 20-400.200	Division of Learning Services		45 MoReg 994R	45 MoReg 1798R	
5 CSR 20-400.220	Division of Learning Services	45 MoReg 1371	45 MoReg 1406		
5 CSR 20-400.500	Division of Learning Services		This Issue		
5 CSR 20-400.510	Division of Learning Services		This Issue		
5 CSR 20-400.520	Division of Learning Services		This Issue		
5 CSR 20-400.530	Division of Learning Services		This Issue		

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5 CSR 20-400.540	Division of Learning Services		This Issue		
5 CSR 20-400.550	Division of Learning Services		This Issue		
5 CSR 20-400.560	Division of Learning Services		This Issue		
5 CSR 20-400.640	Division of Learning Services		45 MoReg 1407		
5 CSR 30-4.050	Division of Financial and Administrative Services	45 MoReg 879			
5 CSR 30-660.085	Division of Financial and Administrative Services	45 MoReg 1215	45 MoReg 1222		
5 CSR 30-660.090	Division of Financial and Administrative Services	45 MoReg 1371	45 MoReg 1410		
MISSOURI DEPARTMENT OF TRANSPORTATION					
7 CSR 10-3.010	Missouri Highways and Transportation Commission		45 MoReg 1596		
7 CSR 10-3.020	Missouri Highways and Transportation Commission		45 MoReg 1598		
7 CSR 10-25.020	Missouri Highways and Transportation Commission		45 MoReg 1779		
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8 CSR 50-5.005	Division of Workers' Compensation	45 MoReg 713			
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9 CSR 40-1.015	Licensing Rules		45 MoReg 897	45 MoReg 1675	
9 CSR 40-1.055	Licensing Rules		45 MoReg 903	45 MoReg 1677	
9 CSR 40-1.060	Licensing Rules		45 MoReg 909	45 MoReg 1678	
9 CSR 40-1.065	Licensing Rules		45 MoReg 911	45 MoReg 1679	
9 CSR 40-1.070	Licensing Rules		45 MoReg 913	45 MoReg 1680	
9 CSR 40-1.075	Licensing Rules		45 MoReg 914	45 MoReg 1681	
9 CSR 40-1.080	Licensing Rules		45 MoReg 917	45 MoReg 1682	
9 CSR 40-1.085	Licensing Rules		45 MoReg 918	45 MoReg 1682	
9 CSR 40-1.090	Licensing Rules		45 MoReg 920	45 MoReg 1799	
9 CSR 40-1.105	Licensing Rules		45 MoReg 923R	45 MoReg 1684R	
9 CSR 40-2.015	Licensing Rules		45 MoReg 923R	45 MoReg 1685R	
9 CSR 40-2.075	Licensing Rules		45 MoReg 924R	45 MoReg 1685R	
9 CSR 40-3.115	Licensing Rules		45 MoReg 924R	45 MoReg 1685R	
9 CSR 40-3.135	Licensing Rules		45 MoReg 924R	45 MoReg 1685R	
9 CSR 40-4.001	Licensing Rules		45 MoReg 925	45 MoReg 1685	
9 CSR 40-4.095	Licensing Rules		45 MoReg 926R	45 MoReg 1686R	
9 CSR 40-4.115	Licensing Rules		45 MoReg 926R	45 MoReg 1686R	
9 CSR 40-4.116	Licensing Rules		45 MoReg 926R	45 MoReg 1686R	
9 CSR 40-4.135	Licensing Rules		45 MoReg 927R	45 MoReg 1686R	
9 CSR 40-4.145	Licensing Rules		45 MoReg 927R	45 MoReg 1686R	
9 CSR 40-4.155	Licensing Rules		45 MoReg 927R	45 MoReg 1687R	
9 CSR 40-6.001	Licensing Rules		45 MoReg 928	45 MoReg 1687	
9 CSR 40-6.015	Licensing Rules		45 MoReg 928R	45 MoReg 1688R	
9 CSR 40-6.035	Licensing Rules		45 MoReg 929R	45 MoReg 1688R	
9 CSR 40-6.055	Licensing Rules		45 MoReg 929R	45 MoReg 1688R	
9 CSR 40-6.075	Licensing Rules		45 MoReg 929R	45 MoReg 1688R	
9 CSR 40-7.015	Licensing Rules		45 MoReg 930R	45 MoReg 1688R	
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9 CSR 40-7.055	Licensing Rules		45 MoReg 930R	45 MoReg 1689R	
9 CSR 40-7.075	Licensing Rules		45 MoReg 930R	45 MoReg 1689R	
9 CSR 40-8.075	Licensing Rules		45 MoReg 931R	45 MoReg 1689R	
9 CSR 40-9.015	Licensing Rules		45 MoReg 931R	45 MoReg 1689R	
9 CSR 40-9.035	Licensing Rules		45 MoReg 931R	45 MoReg 1689R	
9 CSR 40-9.055	Licensing Rules		45 MoReg 932R	45 MoReg 1690R	
9 CSR 40-9.075	Licensing Rules		45 MoReg 932	45 MoReg 1690	
9 CSR 40-9.095	Licensing Rules		45 MoReg 934R	45 MoReg 1690R	
9 CSR 40-9.115	Licensing Rules		45 MoReg 934R	45 MoReg 1691R	
9 CSR 40-9.135	Licensing Rules		45 MoReg 935R	45 MoReg 1691R	
9 CSR 40-9.145	Licensing Rules		45 MoReg 935R	45 MoReg 1691R	
9 CSR 40-9.155	Licensing Rules		45 MoReg 935R	45 MoReg 1691R	
9 CSR 40-10.015	Licensing Rules		45 MoReg 935R	45 MoReg 1691R	
9 CSR 40-10.035	Licensing Rules		45 MoReg 936R	45 MoReg 1691R	
9 CSR 40-10.055	Licensing Rules		45 MoReg 936R	45 MoReg 1692R	
9 CSR 40-10.075	Licensing Rules		45 MoReg 936R	45 MoReg 1692R	
9 CSR 40-10.095	Licensing Rules		45 MoReg 937R	45 MoReg 1692R	
9 CSR 40-10.115	Licensing Rules		45 MoReg 937R	45 MoReg 1692R	
9 CSR 40-10.135	Licensing Rules		45 MoReg 937R	45 MoReg 1692R	
9 CSR 40-10.145	Licensing Rules		45 MoReg 938R	45 MoReg 1692R	
9 CSR 40-10.155	Licensing Rules		45 MoReg 938R	45 MoReg 1692R	
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10 CSR 10-6.110	Air Conservation Commission		45 MoReg 1228		
10 CSR 25-12.010	Hazardous Waste Management Commission	45 MoReg 527	45 MoReg 994	45 MoReg 1620	
10 CSR 60-16.010	Safe Drinking Water Commission		45 MoReg 1237		
10 CSR 60-16.020	Safe Drinking Water Commission		45 MoReg 1242		
10 CSR 60-16.030	Safe Drinking Water Commission		45 MoReg 1244		
10 CSR 60-16.040	Safe Drinking Water Commission		45 MoReg 1246		
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11 CSR 30-10.020	Office of the Director		45 MoReg 1410		
11 CSR 30-13.010	Office of the Director <i>moved to 11 CSR 90-4.010</i>		45 MoReg 1598		
11 CSR 30-13.020	Office of the Director <i>moved to 11 CSR 90-4.020</i>		45 MoReg 1598		
11 CSR 30-13.030	Office of the Director <i>moved to 11 CSR 90-4.030</i>		45 MoReg 1599		
11 CSR 30-13.040	Office of the Director <i>moved to 11 CSR 90-4.040</i>		45 MoReg 1599		
11 CSR 30-13.050	Office of the Director <i>moved to 11 CSR 90-4.050</i>		45 MoReg 1600		
11 CSR 30-13.060	Office of the Director <i>moved to 11 CSR 90-4.060</i>		45 MoReg 1601		

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11 CSR 30-13.070	Office of the Director <i>moved to 11 CSR 90-4.070</i>		45 MoReg 1601		
11 CSR 30-13.080	Office of the Director <i>moved to 11 CSR 90-4.080</i>		45 MoReg 1603		
11 CSR 30-13.090	Office of the Director <i>moved to 11 CSR 90-4.090</i>		45 MoReg 1603		
11 CSR 30-13.100	Office of the Director		45 MoReg 1604R		
11 CSR 30-13.110	Office of the Director <i>moved to 11 CSR 90-4.100</i>		45 MoReg 1604		
11 CSR 30-17.010	Office of the Director		45 MoReg 1658		
11 CSR 50-2.020	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.030	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.080	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.090	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.160	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.200	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.270	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.300	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.310	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.340	Missouri State Highway Patrol		This IssueR		
11 CSR 70-2.030	Division of Alcohol and Tobacco Control		45 MoReg 1341		
11 CSR 70-2.060	Division of Alcohol and Tobacco Control		45 MoReg 1341		
11 CSR 70-2.120	Division of Alcohol and Tobacco Control		45 MoReg 1342		
11 CSR 70-3.020	Division of Alcohol and Tobacco Control		45 MoReg 1342		
11 CSR 75-13.050	Peace Officer Standards and Training Program		45 MoReg 1111	This Issue	
11 CSR 75-14.050	Peace Officer Standards and Training Program		45 MoReg 1112	This Issue	
11 CSR 75-15.010	Peace Officer Standards and Training Program	This Issue	45 MoReg 1791		
11 CSR 75-15.020	Peace Officer Standards and Training Program	This Issue	45 MoReg 1791		
11 CSR 85-1.050	Veterans Affairs		45 MoReg 1791		
11 CSR 90-1.010	Missouri 911 Service Board	45 MoReg 879	45 MoReg 938	45 MoReg 1799	
11 CSR 90-1.020	Missouri 911 Service Board	45 MoReg 880	45 MoReg 939	45 MoReg 1800	
11 CSR 90-1.030	Missouri 911 Service Board	45 MoReg 880	45 MoReg 939	45 MoReg 1800	
11 CSR 90-1.040	Missouri 911 Service Board	45 MoReg 881	45 MoReg 940	45 MoReg 1800	
11 CSR 90-1.050	Missouri 911 Service Board	45 MoReg 882	45 MoReg 940	45 MoReg 1800	
11 CSR 90-2.010	Missouri 911 Service Board	45 MoReg 882	45 MoReg 940	45 MoReg 1801	
11 CSR 90-2.020	Missouri 911 Service Board	45 MoReg 883	45 MoReg 941	45 MoReg 1801	
11 CSR 90-2.030	Missouri 911 Service Board	45 MoReg 885	45 MoReg 943	45 MoReg 1801	
11 CSR 90-2.040	Missouri 911 Service Board	45 MoReg 886	45 MoReg 944	45 MoReg 1801	
11 CSR 90-2.050	Missouri 911 Service Board	45 MoReg 887	45 MoReg 944	45 MoReg 1801	
11 CSR 90-3.010	Missouri 911 Service Board	45 MoReg 888	45 MoReg 945	45 MoReg 1801	
11 CSR 90-4.010	Missouri 911 Service Board <i>formally 11 CSR 30-13.010</i>		45 MoReg 1598		
11 CSR 90-4.020	Missouri 911 Service Board <i>formally 11 CSR 30-13.020</i>		45 MoReg 1598		
11 CSR 90-4.030	Missouri 911 Service Board <i>formally 11 CSR 30-13.030</i>		45 MoReg 1599		
11 CSR 90-4.040	Missouri 911 Service Board <i>formally 11 CSR 30-13.040</i>		45 MoReg 1599		
11 CSR 90-4.050	Missouri 911 Service Board <i>formally 11 CSR 30-13.050</i>		45 MoReg 1600		
11 CSR 90-4.060	Missouri 911 Service Board <i>formally 11 CSR 30-13.060</i>		45 MoReg 1601		
11 CSR 90-4.070	Missouri 911 Service Board <i>formally 11 CSR 30-13.070</i>		45 MoReg 1601		
11 CSR 90-4.080	Missouri 911 Service Board <i>formally 11 CSR 30-13.080</i>		45 MoReg 1603		
11 CSR 90-4.090	Missouri 911 Service Board <i>formally 11 CSR 30-13.090</i>		45 MoReg 1603		
11 CSR 90-4.100	Missouri 911 Service Board <i>formally 11 CSR 30-13.110</i>		45 MoReg 1604		
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12 CSR 10-2.076	Director of Revenue		45 MoReg 1604		
12 CSR 10-2.255	Director of Revenue		45 MoReg 1608		
12 CSR 10-2.260	Director of Revenue		45 MoReg 1608		
12 CSR 10-25.150	Director of Revenue		This Issue		
12 CSR 10-41.010	Director of Revenue	This Issue	This Issue		
12 CSR 10-102.016	Director of Revenue		45 MoReg 1609		
12 CSR 10-102.100	Director of Revenue		This Issue		
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13 CSR 35-31.060	Children's Division	45 MoReg 985			
13 CSR 35-60.020	Children's Division		45 MoReg 1112		
13 CSR 35-60.040	Children's Division		45 MoReg 1113		
13 CSR 35-60.080	Children's Division		45 MoReg 1117		
13 CSR 35-60.120	Children's Division	45 MoReg 888	45 MoReg 945	45 MoReg 1620	
13 CSR 40-2.160	Family Support Division	45 MoReg 775	45 MoReg 793	45 MoReg 1620	
13 CSR 40-2.210	Family Support Division		45 MoReg 946R	45 MoReg 1620R	
13 CSR 40-3.010	Family Support Division <i>moved to 13 CSR 40-108.010</i>		45 MoReg 999		
13 CSR 40-108.010	Family Support Division <i>formerly 13 CSR 40-3.010</i>		45 MoReg 999	45 MoReg 1620	
13 CSR 70-3.320	MO HealthNet Division		45 MoReg 1249		
13 CSR 70-5.010	MO HealthNet Division		45 MoReg 1411		
13 CSR 70-15.010	MO HealthNet Division		45 MoReg 796	45 MoReg 1621	
13 CSR 70-15.015	MO HealthNet Division	45 MoReg 778	45 MoReg 809	45 MoReg 1624	
13 CSR 70-15.110	MO HealthNet Division		45 MoReg 817	45 MoReg 1626	
13 CSR 70-20.200	MO HealthNet Division		45 MoReg 1660		
13 CSR 70-20.300	MO HealthNet Division		45 MoReg 1663		
13 CSR 70-25.140	MO HealthNet Division		45 MoReg 1412		
13 CSR 70-45.010	MO HealthNet Division		45 MoReg 946	45 MoReg 1629	
13 CSR 70-95.010	MO HealthNet Division		45 MoReg 826	45 MoReg 1629	
13 CSR 70-99.010	MO HealthNet Division		45 MoReg 1664		

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15 CSR 30-1.010	Secretary of State		45 MoReg 1792		
15 CSR 30-50.030	Secretary of State		45 MoReg 1343		
15 CSR 30-54.205	Secretary of State		45 MoReg 1343		
15 CSR 30-100.005	Secretary of State	45 MoReg 1372	45 MoReg 1421		
15 CSR 30-100.010	Secretary of State	45 MoReg 1373	45 MoReg 1421		
15 CSR 30-100.015	Secretary of State	45 MoReg 1373	45 MoReg 1421		
15 CSR 30-110.010	Secretary of State		45 MoReg 1422R		
15 CSR 30-110.020	Secretary of State		45 MoReg 1422R		
15 CSR 30-110.030	Secretary of State	45 MoReg 1373	45 MoReg 1422		
15 CSR 30-110.040	Secretary of State	45 MoReg 1374	45 MoReg 1422		
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15 CSR 30-110.060	Secretary of State	45 MoReg 1375	45 MoReg 1424		
15 CSR 30-110.070	Secretary of State	45 MoReg 1376	45 MoReg 1424		
15 CSR 30-110.080	Secretary of State	45 MoReg 1376	45 MoReg 1424		
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16 CSR 10-5.020	The Public School Retirement System of Missouri		45 MoReg 1000	45 MoReg 1630	
16 CSR 10-6.070	The Public School Retirement System of Missouri		45 MoReg 1002	45 MoReg 1630	
16 CSR 50-20.070	The County Employees' Retirement Fund		45 MoReg 1255		
16 CSR 50-20.120	The County Employees' Retirement Fund		45 MoReg 1256		
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19 CSR 10-15.060	Office of the Director	45 MoReg 985	45 MoReg 1004	45 MoReg 1630	
19 CSR 15-4.220	Division of Senior and Disability Services				45 MoReg 1694
19 CSR 15-9.100	Division of Senior and Disability Services		45 MoReg 1304R		
19 CSR 15-9.200	Division of Senior and Disability Services		45 MoReg 1304R		
19 CSR 30-1.002	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-1.026	Division of Regulation and Licensure		This Issue		
19 CSR 30-1.064	Division of Regulation and Licensure		This Issue		
19 CSR 30-1.074	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-35.010	Division of Regulation and Licensure		45 MoReg 1257	This Issue	
19 CSR 30-40.342	Division of Regulation and Licensure				45 MoReg 1803
19 CSR 30-61.010	Division of Regulation and Licensure		45 MoReg 1425		
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19 CSR 30-61.055	Division of Regulation and Licensure	45 MoReg 1377	45 MoReg 1429		
19 CSR 30-61.105	Division of Regulation and Licensure		45 MoReg 1433		
19 CSR 30-62.010	Division of Regulation and Licensure		45 MoReg 1434		
19 CSR 30-62.042	Division of Regulation and Licensure		45 MoReg 1436		
19 CSR 30-62.052	Division of Regulation and Licensure	45 MoReg 1382	45 MoReg 1439		
19 CSR 30-62.102	Division of Regulation and Licensure		45 MoReg 1443		
19 CSR 30-63.010	Division of Regulation and Licensure	45 MoReg 1387	45 MoReg 1445		
19 CSR 30-63.020	Division of Regulation and Licensure	45 MoReg 1387	45 MoReg 1445		
19 CSR 30-63.040	Division of Regulation and Licensure	45 MoReg 1388	45 MoReg 1446		
19 CSR 30-63.050	Division of Regulation and Licensure	45 MoReg 1389	45 MoReg 1447		
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20 CSR	Sovereign Immunity Limits				44 MoReg 3221
20 CSR	State Legal Expense Fund Cap				44 MoReg 3221
20 CSR 200-22.010	Insurance Solvency and Company Regulation	45 MoReg 1337	45 MoReg 1345		
20 CSR 400-5.600	Life, Annuities and Health		45 MoReg 1068	This Issue	
20 CSR 500-4.200	Property and Casualty		45 MoReg 1463		
20 CSR 500-6.100	Property and Casualty		45 MoReg 376		
20 CSR 500-7.020	Property and Casualty		45 MoReg 376		
20 CSR 500-7.030	Property and Casualty		45 MoReg 377		
20 CSR 500-7.050	Property and Casualty		45 MoReg 377		
20 CSR 500-7.060	Property and Casualty		45 MoReg 379		
20 CSR 500-7.070	Property and Casualty		45 MoReg 379		
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20 CSR 500-7.200	Property and Casualty		45 MoReg 381		
20 CSR 700-4.100	Insurance Licensing		45 MoReg 382		
			45 MoReg 1070	This Issue	
20 CSR 700-8.005	Insurance Licensing		45 MoReg 383		
20 CSR 700-8.150	Insurance Licensing		45 MoReg 383		
20 CSR 2010-2.041	Missouri State Board of Accountancy		This Issue		
20 CSR 2010-2.061	Missouri State Board of Accountancy		This Issue		
20 CSR 2010-4.020	Missouri State Board of Accountancy		This Issue		
20 CSR 2010-4.031	Missouri State Board of Accountancy		This Issue		
20 CSR 2010-2.160	Missouri State Board of Accountancy	45 MoReg 1059	45 MoReg 1071	45 MoReg 1693	
20 CSR 2030-4.055	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1664R		
20 CSR 2030-4.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1793		
20 CSR 2030-4.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1794		
20 CSR 2030-4.080	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1794		
20 CSR 2030-4.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1795		
20 CSR 2030-5.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1796		

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20 CSR 2030-5.080	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1796		
20 CSR 2030-5.110	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1796		
20 CSR 2030-5.140	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 1797		
20 CSR 2063-1.010	Behavior Analyst Advisory Board		45 MoReg 1345		
20 CSR 2063-1.015	Behavior Analyst Advisory Board		45 MoReg 1665		
20 CSR 2063-2.010	Behavior Analyst Advisory Board		This Issue		
20 CSR 2110-1.010	Missouri Dental Board		45 MoReg 1117	45 MoReg 1802	
20 CSR 2110-2.020	Missouri Dental Board	45 MoReg 785			
20 CSR 2110-2.170	Missouri Dental Board	45 MoReg 1301	45 MoReg 1304		
20 CSR 2120-2.020	State Board of Embalmers and Funeral Directors		45 MoReg 1259	This Issue	
20 CSR 2120-2.021	State Board of Embalmers and Funeral Directors		45 MoReg 1260	This Issue	
20 CSR 2120-2.100	State Board of Embalmers and Funeral Directors		45 MoReg 1260	This Issue	
20 CSR 2120-2.220	State Board of Embalmers and Funeral Directors		45 MoReg 1265	This Issue	
20 CSR 2120-3.105	State Board of Embalmers and Funeral Directors		45 MoReg 1266R	This IssueR	
			45 MoReg 1266	This Issue	
20 CSR 2120-3.115	State Board of Embalmers and Funeral Directors		45 MoReg 1271R	This IssueR	
20 CSR 2120-3.120	State Board of Embalmers and Funeral Directors		45 MoReg 1271R	This IssueR	
20 CSR 2120-3.125	State Board of Embalmers and Funeral Directors		45 MoReg 1271R	This IssueR	
20 CSR 2120-3.305	State Board of Embalmers and Funeral Directors		45 MoReg 1271R	This IssueR	
20 CSR 2150-2.068	State Board of Registration for the Healing Arts	45 MoReg 788			
20 CSR 2165-1.010	Board of Examiners for Hearing Instrument Specialists		This Issue		
20 CSR 2200-4.010	State Board of Nursing		45 MoReg 1667		
20 CSR 2210-2.030	State Board of Optometry		45 MoReg 1345		
20 CSR 2220-2.120	State Board of Pharmacy		This Issue		
20 CSR 2220-2.195	State Board of Pharmacy		45 MoReg 1467		
20 CSR 2220-2.680	State Board of Pharmacy	45 MoReg 1552	45 MoReg 1611		
20 CSR 2220-3.040	State Board of Pharmacy		45 MoReg 947	45 MoReg 1469	
20 CSR 2220-4.010	State Board of Pharmacy	45 MoReg 1107			
20 CSR 2220-5.020	State Board of Pharmacy	This Issue	This Issue		
20 CSR 2232-2.010	Missouri State Committee of Interpreters		45 MoReg 1669		
20 CSR 2232-2.020	Missouri State Committee of Interpreters		45 MoReg 1669		
20 CSR 2232-2.030	Missouri State Committee of Interpreters		45 MoReg 1669		
20 CSR 2234-1.050	Board of Private Investigator and Private Fire Investigator Examiners		45 MoReg 1670		
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5 CSR 20-400.220	Application for Substitute Certificate of License to Teach45 MoReg 1371	Sept. 2, 2020Feb. 28, 2021
5 CSR 30-660.085	Attendance Hour Reporting45 MoReg 1215	Aug. 1, 2020Feb. 25, 2021
5 CSR 30-660.090	Charter School Local Education Agency (LEA) Attendance Hour Reporting45 MoReg 1371	Sept. 2, 2020Feb. 28, 2021
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11 CSR 75-15.020	Minimum Standards for Continuing Education Training	This Issue	Jan. 1, 2021June 29, 2021
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13 CSR 35-60.120	Criminal Background Check Screening due to Coronavirus- Related Closures45 MoReg 888	May 21, 2020Feb. 25, 2021
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15 CSR 30-100.005	Notary Complaint Process45 MoReg 1372	Sept. 15, 2020March 13, 2021
15 CSR 30-100.010	Approval, Revocation and Suspension of Notary Commission45 MoReg 1373	Sept. 15, 2020March 13, 2021
15 CSR 30-100.015	Request for Hearing on Suspension or an Appeal on a Denial of an Application45 MoReg 1373	Sept. 15, 2020March 13, 2021
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15 CSR 30-110.040	Remote Online Notarization (RON) Criteria45 MoReg 1374	Sept. 15, 2020March 13, 2021
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19 CSR 30-1.074	Dispensing Without a PrescriptionThis Issue	Nov. 16, 2020May 14, 2021
19 CSR 30-61.055	Annual Requirements45 MoReg 1377	Sept. 15, 2020March 13, 2021
19 CSR 30-62.052	Annual Requirements45 MoReg 1382	Sept. 15, 2020March 13, 2021
19 CSR 30-63.010	Definitions45 MoReg 1387	Sept. 15, 2020March 13, 2021
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19 CSR 30-63.050	Process for Appeal Required in Section 210.1080, RSMo45 MoReg 1389	Sept. 15, 2020March 13, 2021
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20 CSR 2110-2.020	Limited Temporary Dental License45 MoReg 785	May 7, 2020Feb. 16, 2021
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20 CSR 2220-2.680	Class R — Remote Dispensing Site Pharmacy45 MoReg 1552	Sept. 18, 2020March 16, 2021
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22 CSR 10-3.030	Public Entity Membership Agreement and Participation PeriodThis Issue	Jan. 1, 2021June 29, 2021
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22 CSR 10-3.058	PPO 750 Plan Benefit Provisions and Covered ChargesThis Issue	Jan. 1, 2021June 29, 2021
22 CSR 10-3.059	PPO 1250 Plan Benefit Provisions and Covered ChargesThis Issue	Jan. 1, 2021June 29, 2021

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<u>2020</u>			
Proclamation	Adds additional measures for consideration during the Second Extra Session of the Second Regular Session of the One Hundredth General Assembly regarding supplemental appropriations to respond to COVID-19	November 12, 2020	Next Issue
20-18	Closes state offices November 27, 2020	October 30, 2020	This Issue
Proclamation	Convenes the Second Extra Session of the Second Regular Session of the One Hundredth General Assembly regarding supplemental appropriations to respond to COVID-19	October 21, 2020	This Issue
20-17	Declares a State of Emergency and activates the state militia due to civil unrest in Missouri	September 24, 2020	45 MoReg 1656
20-16	Extends Executive Order 20-12 regarding the activation of the state militia until December 30, 2020	September 15, 2020	45 MoReg 1562
20-15	Establishes the Interagency Task Force on Worker Classification	September 11, 2020	45 MoReg 1559
20-14	Suspends the requirement of physical appearance as stated in Chapter 474 by authorizing the use of audio-visual technology	September 3, 2020	45 MoReg 1557
Proclamation	Amends the matters specifically designated and limited for consideration by the General Assembly in the July 15, 2020 Proclamation	August 10, 2020	45 MoReg 1338
20-13	Extends Executive Order 18-12 regarding the 2020 Census until November 30, 2020	July 31, 2020	45 MoReg 1303
Proclamation	Convenes the one hundredth general assembly of the State of Missouri in the First Extra Session of the Second Regular Session	July 15, 2020	45 MoReg 1220
20-12	Extends the State of Emergency, activation of the State Emergency Operations Plan and activation of the state militia. Gov. Michael Parson also extends, in part, the provisions of Executive Order 20-04. Gov. Parson also extends, in whole, Executive Orders 20-05, 20-06, and 20-08	June 11, 2020	45 MoReg 1064
20-11	Declares a State of Emergency and activates the state militia due to civil unrest in Missouri	May 30, 2020	45 MoReg 990
Proclamation	Calls for a special election on August 4th of 2020	May 26, 2020	45 MoReg 988
20-10	Extends Executive Orders 20-04, 20-05, 20-06, and 20-08 until June 15, 2020	May 4, 2020	45 MoReg 895
20-09	Extends the State of Emergency declared in Executive Order 20-02 until June 15, 2020 and directs the Missouri State Emergency Operations Plan to remain activated	April 24, 2020	45 MoReg 789
20-08	Suspends the requirement of personal appearance before a notary public by authorizing the use of audio-video technology	April 6, 2020	45 MoReg 718
20-07	Waives late penalties for concealed carry permits for 60 days	April 2, 2020	45 MoReg 716
20-06	Activates the state militia in response to the COVID-19 pandemic	March 27, 2020	45 MoReg 587
20-05	Suspends the prohibition of the sale of unprepared food by restaurants to the public during the current state of emergency	March 23, 2020	45 MoReg 585
20-04	Suspends certain agency regulations to allow them to address the current state of emergency	March 18, 2020	45 MoReg 583
20-03	Postpones the General Municipal Election scheduled for April 7, 2020 until June 2, 2020	March 18, 2020	45 MoReg 580
20-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated	March 13, 2020	45 MoReg 529
20-01	Designates supervisory authority over select departments, divisions, or agencies of government	Feb. 03, 2020	45 MoReg 352
<u>2019</u>			
19-21	Closes state offices December 24, 2019 at 1 pm	Dec. 16, 2019	45 MoReg 101
19-20	Creates the Office of Apprenticeship and Work-Based Learning (OAWBL) and makes it a distinct office within the Missouri Department of Higher Education and Workforce Development	Nov. 12, 2019	44 MoReg 3181
19-19	Closes state offices November 29, 2019	Nov. 4, 2019	44 MoReg 2816
Proclamation	Governor reduces line items in the budget	Oct. 28, 2019	44 MoReg 2959
19-18	Orders the Department of Health and Senior Services, Department of Elementary and Secondary Education, and the Department of Public Safety to develop a statewide campaign to deter the use of vaping devices by Missouri youths	Oct. 15, 2019	44 MoReg 2815
19-17	Rescinds Executive Order 81-24	Sept. 20, 2019	44 MoReg 2664
19-16	Orders the commencement of the Missouri as a Model Employer Initiative, with directives for the State of Missouri employing people with disabilities	Sept. 9, 2019	44 MoReg 2576

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19-15	Declares the Department of Higher Education be henceforth called Department of Higher Education and Workforce Development	Aug. 28, 2019	44 MoReg 2438
Proclamation	Calls for a Special Session of the One Hundredth General Assembly	Aug. 21, 2019	44 MoReg 2436
19-14	Establishes the Flood Recovery Advisory Working Group	July 18, 2019	44 MoReg 2281
19-13	Establishes the Missouri Health Insurance Innovation Task Force	July 17, 2019	44 MoReg 2278
19-12	Closes state offices July 5, 2019	July 3, 2019	44 MoReg 2239
19-11	Establishes the Missouri Food, Beverage, and Forest Products Manufacturing Task Force	June 28, 2019	44 MoReg 2085
19-10	Extends Executive Order 19-06 - State of Emergency	June 13, 2019	44 MoReg 1993
19-09	Calls and orders into active service, portions of the organized militia as necessary to aid executive officials in protecting life and property	May 27, 2019	44 MoReg 1830
19-08	Declares a State of Emergency	May 21, 2019	44 MoReg 1828
Writ of Election	Fills vacancy in the One Hundredth General Assembly from the 158th district	April 23, 2019	44 MoReg 1499
Writ of Election	Fills vacancy in the One Hundredth General Assembly from the 99th district	April 23, 2019	44 MoReg 1497
19-07	Extends Executive Order 19-06 - State of Emergency	April 30, 2019	44 MoReg 1501
19-06	Gives the Department of Natural Resources discretionary authority to waive or suspend operation to best serve the interests of the public health and safety during the State of Emergency	March 29, 2019	44 MoReg 1246
19-05	Declares a State of Emergency	March 21, 2019	44 MoReg 1244
19-04	Establishes the Missouri School Safety Task Force	March 13, 2019	44 MoReg 1131
Proclamation	Governor reduces line items in the budget	Jan. 28, 2019	44 MoReg 771
19-03	Transfers the Division of Workforce Development to the Department of Higher Education	Jan. 17, 2019	44 MoReg 767
19-02	Transfers the Office of Public Counsel and Public Service Commission to the Department of Insurance, Financial Institutions and Professional Registration	Jan. 17, 2019	44 MoReg 765
19-01	Transfers the Division of Energy to the Department of Natural Resources	Jan. 17, 2019	44 MoReg 763

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Administrative Rules Contact Information

General Inquiries

(573) 751-4015
rules@sos.mo.gov

Curtis W. Treat, Editor-in-Chief
(573) 751-2022
curtis.treat@sos.mo.gov

John C. Stegmann, Managing Editor
(573) 522-2196
john.stegmann@sos.mo.gov

Vonne Kilbourn, Editor
(573) 751-1818
vonne.kilbourn@sos.mo.gov

Jennifer Alex Moore, Associate Editor
(573) 522-2593
jennifer.moore@sos.mo.gov

Jacqueline D. White, Publication Specialist
(573) 526-1259
jacqueline.white@sos.mo.gov

Tammy Winkelman, Administrative Aide
(573) 751-4015
tammy.winkelman@sos.mo.gov